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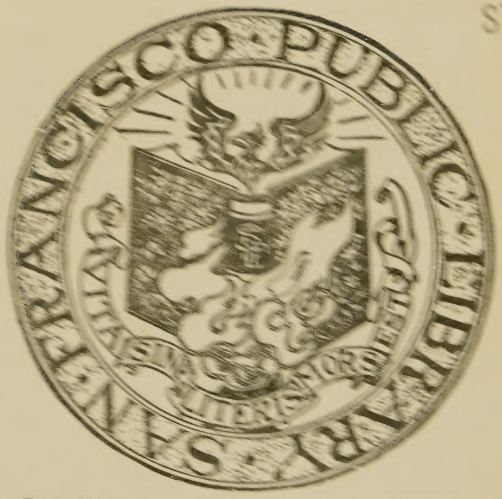

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FROM 1764 TO 1776;

Including the whole Administration of Gov. John Wentworth; the Events immediately preceding the Revolutionary War; the Losses at the Battle of Bunker Hill, and the Record of all Proceedings till the end of our Provincial History.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF NEW-HAMPSHIRE.

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NATHANIEL BOUTON, D.D.

Corresponding Secretary of the New-Hampshire Historical Society.

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NOTICE.

JOINT RESOLUTION, passed by the Legislature of New Hampshire.

Resolved by the Senate and House of Representatives, in General Court convened, That his Excellency the Governor be hereby authorized and empowered with the advice and consent of the Council, to employ some suitable person, and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated, to collect, arrange, transcribe and superintend the publication of such portions of the early State and Provincial Records, and other State Papers of New Hampshire, as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the State Printer and distributed as follows: namely, one copy to each City and Town in the State, one copy to such of the Public Libraries of this State, as the Governor may designate, two hundred copies to the New Hampshire Historical Society, and the remainder placed in the custody of the State Librarian, who is hereby authorized to exchange the same for similar publications issued by other States.

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EDITOR'S PREFACE.

It will be a sufficient recommendation of this volume, to notify all who shall have occasion to examine it, that it contains all the official records and documents found in the office of the Secretary of State, relating to the administration of his Excellency JOHN WENTWORTH, Esq., the last of the royal Governors — a gentleman of distinguished ability and culture; a patron of liberal learning, the founder, by its charter, of Dartmouth College; an earnest adviser and promoter of internal improvements; a true friend to the Province, as well as loyal to his Majesty who gave him his Commission. The volume also covers the exciting and eventful period immediately preceding the Revolution, illustrating in many particulars the spirit and character of the people, and by what careful and gradual steps they were led along to the very foremost rank among the Colonies to assume government and to make a DECLARATION OF INDEPENDENCE. What adds still more to the historic interest and value of this volume, is, that it contains many particulars never before published, respecting the Bunker Hill battle, in which the regiments commanded by Col. John Stark and Col. James Reed took a conspicuous part. The account herein given of "Losses in that battle," the Editor is sure will be read and examined with intense interest, by all descendants and relatives of the brave and noble men who had the honor of being engaged in that glorious first-fight for Liberty. Still more value is to be attached to the volume, by its containing COMPLETE RETURNS, in their original form, of the Census of 1775.

With an assurance of its intrinsic worth, as the closing portion of our Provincial history, the Editor humbly submits this volume to the public, and especially to his fellow citizens, the inhabitants of New Hampshire.

P. S. Under the advice and direction of his Excellency, Governor EZEKIEL A. STRAW, the editor has commenced the compilation of Volume VIII, which, it may be expected, will contain a complete documentary history of the part which New Hampshire took in the American Revolution.

N. B.

CONCORD, Dec., 1873.

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(1) So far as appears from the records, the honor of first proposing or drawing up a distinct plan of government for New Hampshire, must be awarded to General Sullivan.—ED.

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[Some of the persons here named held office under Gov. Benning Wentworth.]

THEODORE ATKINSON, SEN.
DANIEL WARNER.
MARK HUNKING WENTWORTH.
JAMES NEVIN.
THEODORE ATKINSON, JUN.
NATHANIEL BARRELL.
PETER LIVIUS.
JONATHAN WARNER.
DANIEL RINDGE.
DANIEL PIERCE.
GEORGE JAFFREY.
DANIEL ROGERS.
PETER GILMAN.
THOMAS W'K WALDRON.
JOHN SHERBURNE.
JOHN PHILLIPS. (1)
GEORGE BOYD. (2)

(1) It does not appear from the records that Mr. Phillips ever sat in the Council.—ED.

(2) He left the State, and was proscribed by the Act of 1778.

NEW-HAMPSHIRE

PROVINCIAL PAPERS.

VOLUME VII.

RECORDS OF THE COUNCIL.

NOTE BY THE EDITOR.

The "RECORDS OF COUNCIL" which follow, are in continuation of said Records in Volume VI., p. 634. It is matter of regret that there is a *chasm* in these Records of about five years and a half, including a large part of the administration of Governor John Wentworth, *i. e.*, from July 30, 1767, to December 22, 1772. It is probable that the original Records and Minutes of Council in this period were forwarded to the Lords of Trade and Plantations in England, during the trial of the complaint and charges made against the Governor by Peter Levius, Esq., in 1772. The Records also are wanting after January 14, 1774 — before the close of Governor Wentworth's administration.

At a Council holden at Portsm° by his Excellencys sumons on Monday, June 25th 1764.

Present

His Excelency the Governr.

Theodore Atkinson
Richd Wibird
Danll Warner
Joseph Newmarch
} Esqs.

James Nevin
Theodr Atkinson junr
Nathll Barrell
} Esqs.

His Excelleney ordered the Secretary to read the memorial of Majr Robert Rogers Lieut James Tate & others setting forth that they were officers in his Majtys pay during the last war & were disband &c. & praying that agreeable to his Majestys Proclamations they might [be] granted within this Government such tracts of land as in the sd Proclama were specified And then asked if the Council would advise him to make such grants to which they did advise as also to any other officers or soldiers that should apply if within the directions of the sd Proclama—

At a Council holden at Portsm^{o} by his Excellencys sumons on Fryday March 1st 1765.

Present

His Excellency the Govern^{r}

Theod^{r} Atkinson, Rich^{d} Wibird, James Nevin } Esqr^{s}. Theodore Atkinson Jun^{r}, Nath^{ll} Barrell } Esqrs.

His Excellency laid before the Board a letter he rec^{d} from the Lords of Trade signifying his Maj^{tys} pleasure in the repeal of the following sixteen Acts passed the Legislature in this Prov^{r} viz — An Act entitled an Act for making a partition & division of certain lands therein mentioned.

2^{d} An Act for vacating the division & settlement of the real estate of Robert Thompson & ordering a new division—

3^{d} An Act to enable Zacheus Clough to sell & convey a certain parcel of land therein mentioned for the ends therein declared—

4th An Act to settle the title of certain lands therein mentioned—

5 An Act to enable Abigail Hale to sell a certain tract of land therein mentioned—

6 An Act to prevent the killing wild deer at unseasonable times—

7 An Act for altering the times appointed by law for holding the several Courts of Justice & other matters relative to the business of said Courts therein mentioned—

8 An Act to impower authorize & enable Jonathan Thompson of Durham in the Province of New Hampshire yeoman and his wife Susannah who is administratrix to the estate of Samuel Thompson late of Durham afores^{d} yeoman deceased intestate to make a deed of certain lands in Durham aforesaid unto Robert Thompson of Durham aforesaid yeoman—

9 An Act to enable Thomas Millit Esq^{r} to execute a Deed of Conveyance of certain lands therein referred to as a trustee & to make such Conveyances good & for other purposes therein mentioned—

10 An Act to enable John Griffeth & George Huntress to make sale of a lot of land and a small house thereon situate in Portsmouth—

11 An Act for making partition of certain lands therein mentioned

12 An Act to enable Obediah Tibbets a minor to make an exchange of lands as therein set forth.

13 An Act for ascertaining the title to & preventing disputes about certain lands in Durham in this Province herein after mentioned—

14 An Act to enable Joseph Jackson to sell certain lands therein mentioned and directing how the money raised by the sale should be applyed

15 An Act to authorize Mr. Jeremiah Fogg as Guardian to Daniel Fogg his nephew to sell part of his land for his support at College—

16 An Act to enable Charles Banfield & others to revive a suit at law with Rich^{d} Wibird Esq.

At a Council holden at Portsm^{o} (by his Excellencys sumons) on Wednesday April 24, 1765—

Present

His Excellency the Governour—

Theod^{r} Atkinson, Rich^{d} Wibird } Esq^{rs} James Nevin, Theod^{r} Atkinson } Es^{qrs} of y^{e} Council.

M. H^{g} Wentworth

His Excellency (by the Secretary) desired the advice of the Council whether the calling of a new Assembly might be for his Majestys service and at what time the Council did advise the calling a new Assembly & as soon as conveniently might be.

At a Council holden at Portsm^{o} by his Excellencys sumons on Thursday May 23^{d} 1765

Present

His Excellency the Govern^{r}

Theodore Atkinson, Daniel Warner, James Nevin } Esqrs Theod^{r} Atkinson jun^{r}, Nath^{ll} Barrell } Esq^{rs}

His Excellency laid before the Board his Majestys Mandamus appointing Peter Levius Esq one of the Council for this Province agreeable to which he was admitted took the oaths appointed instead of the oaths of allegiance & supremacy & oath of a Councillor and took his place at the Board accordingly.

At a Council holden at Portsm^{o} by his Excellencys sumons the 1st day of June 1765

Present

His Excellency the Govern^{r}

Theodore Atkinson, Daniel Warner, James Nevin } Esq^{rs} Theodore Atkinson jun^{r}, Nath^{ll} Barrell } Esq^{rs} of y^{e} Council

Capt. Bell Commander of Fort Wm & Mary at New Castle laid before the Board an information in writing of Joseph Mead

Commander of the Briganteen Fardinand lately arrived from Tortuga & St Croix setting forth that his crew were all well & his cargo salt & rum that the cloaths & bedding were not clear of infection of the small pox and it appearing to the Board that some of the crew had had the small Pox in their voyage after the vessell left Tortuga & it being necessary to have the vessell &c well clensed before any person is permitted to come on shore &c

Therefore Ordered that take the first safe opportunity to move his vessell near the Pest-House Island there to be surveyed & properly cleansed & not suffer any person or any goods to come from s[d] vessell nor permit any person to go on board without a perticular Permit from the selectmen of Portsm[o] who are hereby directed to order the proper cleansing &c & to make report to his Excellency the Govern[r] of their doings herein.

At a Council holden at Portsm[o] according to his Excellencys sumons on Monday Septemb[r] 30[th] 1765

Present

His Excellency Benning Wentworth Esq Govern[r]

Theodore Atkinson, Daniel Warner, Nath[ll] Barrell } Esq[rs]

Theodore Atkinson jun[r], Peter Levius } Esq[rs]

The Secretary read at the Board by his Excellencys order the petition of Daniel Foster & others his associates praying a grant of a tract of land for a township of the contents of about six miles square bounding on the northern line of this Province at a place called Pigwacket &c & also produced a plan of the said township as the same had been surveyed by Walter Bryant jun[r] Surveyor. And then asked the Council if they advised his Excellency to issue a patent agreable to the said petition & plan to which the Council did advise and consent.

At a Council holden at Portsm[o] by his Excellencys sumons on Sunday March 23[d] 1766

Present

His Excellency the Govern[r]

Theodore Atkinson, Dan[ll] Warner, M[k] H[g] Wentworth } Esq[rs]

Theodore Atkinson jun[r], Peter Levius } Esq[rs]

The President by his Excellencys order read at the Board a letter from Meshech Wear giving an acco[t] of an information he rec[d] of an intent of some ill-disposed persons inhabitants of Kings-

town Sandown & parts adjacent had to make a breach in the goal & liberate the prisoners & then asked the Council what they advise should be done in the premisses.

The Council taking the premisses under consideration advised that a proper guard should be placed at the prison that the guard be well armed with orders to defend the goal & keep the prisoners therein confined safe and secure & at all events not to suffer any breach or forcible entry into any parts of the s^{d} Goal.

That to prevent the first intended insult from taking any effect 'tis advisable that expresses be sent to his Majestys Justices in that quarter to make enquiry into the premisses & to apprehend any suspected persons to have been concerned in that affair.

At a Council holden at Portsm^{o} by his Excellencys sumons on Wednesday June 25th 1766—

Present

His Excellency B Wentworth Esq Govern^{r}

Theodore Atkinson, Dan^{ll} Warner } Esq^{rs} — Theodore Atkinson, Peter Levius } Esq^{rs}

His Excellency acquainted the Board that he had rec^{d} his Maj^{tys} Mandamus for admitting & swearing Jon^{a} Warner Daniel Rindge Daniel Pierce & George Jaffrey Esqrs as members of his Majestys Council who attended in the Council Chamber respectively took the oaths appointed instead of the oaths of allegiance & supremacy & also the Councillors oath & then took their places at the Board accordingly.

At a Council holden at Portsm^{o} by his Excellencys sumons July 2^{d} 1766.

Present

His Excellency B. Wentworth Esq Govern^{r}.

Theodore Atkinson, Dan^{ll} Warner, Theod^{r} Atkinson Jun^{r}, Nath^{ll} Barrell } Esq^{rs} — Peter Levius, Jon^{a} Warner, Daniel Rindge, Dan^{ll} Pierce, George Jaffrey } Esqrs.

The petition of Doctor Joshua Bracket praying an allowance for his acc^{t} for attending on John Swinson an indigent person lately arrived in this Province from North Corrolina & also for sundry bills board &c read & ordered to lay under consideration.

At a Council holden at Portsm° by his Excellencys sumons on Fryday July the 11th 1766.

Present

His Excellency B. Wentworth Esq Governr.

Theodore Atkinson, Theodore Atkinson Junr, Nathll Barrell } Esqrs.
Peter Levius, George Jaffrey } Esqrs.

His Excellency acquainted the Board that he had received his Majestys Mandamus appointing Henry Sherburne Esq to be admited & sworn of his Majestys Council for this Province & accordingly the said Sherburne took the oaths appointed to be taken instead of the oaths of alegience & supremacy and also the oath usually taken by his Majestys Council & took his seat at the Board accordingly.

At a Council holden at Portsm° by his Excellencys sumons on Tuesday October 17th 1766.

Present

His Excellency B. Wentworh Esq Governr

Theodore Atkinson, Danll Warner, Mk Hunkg Wentworth, Theodr Atkinson Junr, Jona Warner } Esqs.
Danll Rindge, Daniel Peirce, Henry Sherburne, George Jaffrey } Esqrs.

His Excellency acquainted the Board that he recd an acct of a loss sustained by Jona Moulton Esqr by a barn he had burnt at Hampton Falls & that its suggested that some ill disposed person was suspected to set fire to said barn & asked the Council wether they would advise to the issueing Proclamation & offering therein a reward to any person that would inform the authority of any person concerned therein & what sum they tho^{t} expedient to be inserted in the sd Proclama to which the Council did advise & proposed the sum of one hundred pounds Proclamation money.

At a Council holden at Portsm° by his Excellencys sumons on Thursday October 19 1766.

Present

His Excellency B. Wentworth Esq. Governr

Theodore Atkinson, Danll Warner, Theodore Atkinson Junr, Peter Levius } Esqs.
Jona Warner, Danll Peirce, George Jaffrey } Esqs.

The Council took under consideration the petition of Doctor Bracket as entred the 2d July last & having heard what the petitioner had to offer to enforce his petition & the question being

put wether his demand ought to be paid & it passed in the negative & accordingly the petition was dismissed.

Resolved that 'tis highly reasonable that y^e^ Govern^r^ & Council should (when sitting in General Assembly) have prayer performed each forenoon in order to which the Council made choice of the Reverend Mr. Arthur Browne as Chaplaine and the Hon^ble^ Jon^a^ Warner & George Jaffrey Esqrs were nominated & appointed to wait upon Mr. Brown & to acquaint him of his appointment & do desire his attendance & to report thereon who reported that Mr. Brown would accept the fav^r^ & attend the duty.

At a Council holden at Portsm^o^ by his Excellencys sumons on Fryday Decemb^r^ 5^th^ 1866.

Present

His Excellency B. Wentworth Esq Govern^r^

Daniel Warner Theodore Atkinson Peter Levius	Esqs.	Dan^ll^ Rindge Henry Sherburne George Jaffrey	Esqrs of the Council.

The Secretary by his Excellencys order laid before the Board a letter he rec^d^ from Governor Barnard dated the 2^d^ Ins^t^ giving an acc^t^ & description of one Joseph Andrews a Portuguese who was supposed to be guilty of murder upon the high seas &c togeather with a Proclam^a^ issued by Gov^r^ Barnard for apprehending the s^d^ Andrews &c. His Excellency then asked the advise of the Council what steps taken would be most likely to apprehend the s^d^ Andrews if within this Prov^e^ to which the Council did give it as their opinion that issueing a Proclam^a^ would not be (at present) so likely method to apprehend him as private directions to the Kings Attorney Sheriff Ferrymen &c to make all possible but secret enquiry after the s^d^ Andrews & if discovered to apprehend & secure him.

At a Council holden at Portsm^o^ by his Excellencys sumons on Monday April 6^th^ 1767.

Present

His Excellency B. Wentworth Esq Govern^r^

Theodore Atkinson Dan^ll^ Warner James Nevin Theod^r^ Atkinson jun^r^ Peter Levius	Esqs.	Jon^a^ Warner Dan^ll^ Rindge Daniel Peirce George Jaffrey	Esqrs of the Council.

His Excellency proposed the Council the fifteenth Ins^t^ as a day to be observed as annual Fast thro out this Province & asked wether the Council would advise to a Proclamation for a Fast to be held on that day to which they did unanimously agree & consent.

At a Council holden at Portsmouth by his Excellencys sumons on Saturday June the 13th 1767.

Present

His Excellency Benning Wentworth Esq Govern^{r}

Theodore Atkinson	Esqrs.	Nath^{ll} Barrell	Esqrs of y^{e} Con^{c}.
Daniel Warner		Peter Levius	
Mark Hunk^{s} Wentworth		Jon^{a} Warner	
James Nevin		Daniel Rindge	
Theod^{r} Atkinson jun^{r}		Daniel Peirce	
		George Jaffrey	

His Excellency acquainted the Board that his Excellency John Wentworth Esq^{r} whom his Royal Master had appointed to succeed him as Govern^{r} of this Province would arrive in this town by one of the clock & tho't proper his Majestys Council should be assembled in the Council Chamber at that time to receive him. Accordingly his Majestys Council did meet in the Council Chamber & his Excellency John Wentworth Esq did arive escorted by two troops of Horse the first regiment of militia being drawn up at the end *at the end* of the Town House his Excellency there produced his Majestys Royal Commission under the Great Seal appointing him Cap^{t} General & Governor over this his Majestys Province which was publickly read in the audience of a vast concourse of his Majestys subjects exclusive of the militia both Horse & Foot as was also his Excellencys Commission appointing him Vice Admiral of this Province. Then His Excellency & his Majestys Council then took the usual oaths in the accustomed method.

His Excellency then issued a Proclamation, impowering & directing all officers civil and military to exercise the duty of their respective offices til further order. Then the cannon at Castle Wm & Mary were discharged as also the battery raised in this town for that end, three vollies of small arms were fired by the militia & three huzzas given by the multitude. His Excellency & the Council the Magistrates & a great number of gentlemen then retired from the Council Chamber & dined publickly where &c.

At a Council holden at Portsm^{o} by his Excellencys sumons on Thursday July 30th 1767.

Present

His Excellency John Wentworth Esq Govern^{r}

Theodore Atkinson	Esqrs.	Jon^{a} Warner	Esqrs of y^{e} Council.
Daniel Warner		Daniel Rindge	
M. H. Wentworth		Daniel Peirce	
James Nevin		George Jaffrey	
Theodore Atkinson j^{r}			
Peter Levius			

His Excellency acquainted the Board that he had been solicited

by a number of the grantees of a tract of land granted by this Government which was bounded on the dividing line between this Province and the Province of the Massashusetts Bay above the head of Salmon Falls River to afford them his assistance & directions in a controversy or dispute between them & a number of persons who pretend & set up a claim to some parts of the said land under a recent title derived to them from the Masschu^{ts} Governm^{t} which dispute they apprehended might end without even a tedious & expensive lawsuit if his Excellency would be pleased to interpose in the affair & they might in that case chearfully proceed in clearing & cultivating their land &c.

His Excellency then asked the Council what steps they would advise him to take in & about the premisses.

In which the Council did advise that his Excellency write to the Governour of the Massachusetts on the subject & that the matter in dispute might be in a proper light transmitted to Gover^{r} Bernard they gave it also as their oppinion that a Com^{tee} of Council should be appointed & directed to furnish his Excellency with such facts & transactions as might answer that purpose, which his Excellency approved of & according Theodore Atkinson Peter Levius Dan^{ll} Peirce & George Jaffrey Esqs were appointed a Com^{tee} for that service & to report to his Excellency accordingly as soon as may be.

NOTE BY THE EDITOR.

Here occurs the first *chasm* in the *Records of the Council.* About this time, and extending through a period of two years or more, the trial was going on of charges made against Gov. Wentworth by Peter Levius, Esq. See *Journal of the House*, and papers and documents relating thereto, after date of January, 1774.

At a Council holden at Portsm^{o} by his Excell^{cys} summons on Tuesday 22^{d} Decem^{r} 1772.

Present

His Exc^{y} John Wentworth Esq Gov^{r} &c.

Theodore Atkinson Daniel Warner D^{l} Rindge Jon^{a} Warner	Esqrs.	Dan^{l} Peirce George Jaffrey Dan^{l} Rogers	Esqrs.

His Exc^{y} inform'd the Board that John Cochran Esq Com^{r} of the Fort, had exhibited his acc^{t} of the am^{o} of Light Money rec^{d} and of expences incurr'd by the Light House, whereby it appears that the collection of Light M^{o} by the present Act, is insufficient to support the Light, and that the same is now considerably in arrears to Cap^{t} Cochran, and asked, whether the *the* Council w^{d}

advise to draw^{s} a Warr^{t} on the Treasury for Twenty Pounds L. M. that the Light might not fail, before the meeting of the Gen^{l} Assembly who w^{d} ex^{a} the s^{d} acc^{t} and pass such further order respect^{s} the s^{d} Light as may be sufficient to support the same. Advised to.

His Excell^{cy} laid before the Board the petition of S^{l} Livermore Esq. setting forth, that he purchased the original right of Murry Hambleton in New Holderness from the heir of s^{d} Hambleton, and that the same has been totally neglected hitherto and no improvem^{t} made thereon — and praying a confirm^{a} of the same also that the original right of S^{l} Wentworth Esq, of Boston is equally deficient in point of settlement and praying the s^{d} Right may be granted to such person as will effectually fulfil the conditions of the Charter and paying the taxes due thereon.

Suspended for consid^{a} untill the 9th day of Jan^{y} next.

His Exc^{y} acquainted the Board that Francis Smith of Plainfield, was recommended to him as a Magistrate from s^{d} town, and asked if the Council wo^{d} advise to his appointm^{t}.

Advised to.

His Exc^{y} also acquainted the Board that the Just^{s} of the Sup^{r} Court had recom^{d} to him Zach^{s} Cutler for a Justice of the Peace for the Town of Amherst and ask^{d} if the Council w^{d} advise to his being appointed to said office — Advised to.

At a Council held at Portsmouth by his Excellency's summons Monday Jan^{y} 11 : 1773

Present

His Excellency the Governor

Theod^{r} Atkinson	Esqrs	Daniel Peirce	Esqrs
Dan^{l} Warner		George Jaffrey	
Jon^{a} Warner		Dan^{l} Rogers	
Daniel Rindge			

The Memorial of James Grant praying for 2000 acres of land as a consideration for the fatigue he underwent in surveying Connecticut River &c. was read at the Board & ordered to lay.

His Excellency recommended Mr. Thomas Martin of Portsm^{o} in this County for a Justice of the Peace for said county. Advised to.

Also Mr. Isaac Baldwin of Hillsboro' in the county of Hillsborough for a Justice of the Peace for said County. Advised to.

Also the petition of Col^{o} Gilman for several islands in Connecticut River q^{t} about 30 acres. Consider'd & advised to.

At a Council held at Portsm° by his Excellencys sumons Monday Feb^{y} 1st 1773

Present

His Excellency the Governor

Daniel Warner	Esq^{rs}	Dan Peirce	Esq^{rs}
Jon^{a} Warner		Dan^{l} Rogers	
Dan^{ll} Rindge		Peter Gilman	

A motion was made by S. Livermore Esq praying that further time be allowed for a hearing on a Petition preferr^{d} by him & one David Hobart ent^{d} 28th Nov^{r} last relative to a new survey of Plymouth & the Council advised his Excellency to postpone the said hearing to Tuesday the 23^{d} of March next & that in the meantime the Clerks of the Proprietors of Cockermouth Cardigan Campton & Rumney or the Selectmen of said towns where any are chosen be at the cost of the Pet^{rs} served respectively with a copy of this petition & vote thereon that they may appear & shew cause why the prayer thereof may not be granted.

His Excell^{y} ordered to be read at the Board a Memorial of Eleazer Wheelock praying that a Gore of land which he supposes is ungranted between the towns of Lebanon and Hanover may be granted for the use of Dartmouth College.

Ordered to lay

His Excellency also ordered to be read at the Board the petition of Donald McAlpine a reduced Sargent who has served in the late war for a grant of lands in this Province agreeable to the King's Proclamation.

Advised to.

At a Council held at Portsm° Tuesday Feb^{ry} 2, 1773

Present

His Excellency the Governor—

Dan^{l} Warner	Esq^{rs}	D. Peirce	Esq^{rs}
Jona Warner		Dan^{l} Rogers	
Dan^{l} Rindge		Peter Gilman	

His Excellency asked the advice of the Council relative to appointing Mr. Israel Gilman and Cap^{t} Nath^{l} Rogers Justices of the Peace for the county of Rockingham. Advised to.

His Excellency ordered to be read the petition of Jon^{a} Freeman Agent for the Proprietors of the town of Hanover setting forth that by the original survey of Hanover the boundaries on Connecticut River were about 220 rod further distant from each other than the length of lines as mentioned in said Charter & the Proprietors being ignorant of the same run each of said lines from the River Connecticut So. 64 E. agreeable to the cources given in said Charter & have lotted out & settled on said lands to each line and have given considerable tracts adjoining to each of said

lines for the use of Dartmouth College & being now convinced that said lines contain ab^{t} 2700 acres more than the Contents of said Charter which if taken from the said town of Hanover will throw said Town into confusion by breaking up settlers &c & therefore praying for a grant of the lands contained in the above lines & not granted on the former Charter. The Council did thereupon advise that the Clerk of the Propriety of Lime or the Selectmen if any there be be served with a copy of the petition & order of Council thereon at the cost of the petitioner that they may be heard thereon on Tuesday the 23^{d} of March next to show cause why the prayer of said petition may not be granted.

His Excellency ordered to be read at the Board the Petition of Sam^{l} Hale Esq. for an additional Grant of lands in this Province. Ordered to lay.

His Excellency ordered to be read the Petition of Stephen Little Physician for taking care of one Webb an indigent person in his sickness am^{s} to £6: 12: 8 ordered to lay.

At a Council held at Portsm^{o} Thursday Feb^{ry} 4 1773

Present

His Excellency the Governor

Jon^{a} Warner Dan^{l} Rindge	Esqrs	Dan^{l} Rogers Peter Gilman Tho^{s} W^{k} Waldron	Esqrs

The Petition of David Page for a Grant of land for the reasons mentioned in s^{d} Petition was read at the Board.

His Excellency mentioned a Petition of Mr. Moody & 59 others (some of the most respectable inhabitants of the Government who had had none of the Kings lands) for a township of 6 miles square. Advised to.

At a Council held at Portsm^{o} Saturday Feb^{ry} 6th 1773.

Present

His Excellency the Governor,

Theod^{r} Atkinson Dan^{l} Warner Jon^{a} Warner Dan^{l} Rindge	Esqs.	Daniel Peirce Dan^{l} Rogers Peter Gilman Tho^{s} W. Waldron	Esqs.

His Excellency ordered to be read at the Board a Petition of John Merrill for leave to keep a Ferry across Merrimack River to extend two miles up & down said River beginning one mile and a quarter from the lower end of the Town of Concord &c Advised to — the said Ferry to contain two miles only as the river runs including the bounds specified in the Petition.

His Excellency proposed to the Board the desire of B. Bellows Esq of Walpole to have the liberty of keeping a Ferry across Connecticut River from Walpole to Westminster The Council advised that the same be granted to contain a mile as the river runs.

At a Council held at Portsm° by his Excellencys summons Tuesday March 2d 1773

Present

His Excellency the Governor

Theodre Atkinson, Danl Warner, Jons Warner, Danl Rindge } Esqrs

George Jaffrey, Danl Rogers } Esqrs.

The Petition of Dr Stephen Little for allowance of his acct for the care of one Webb an indigent stranger who was taken sick in Portsm° was read at the Board. The Council did advise that the said acct amts to £6 : 12 : 8 be paid out of the Treasury agreable to the Province Law.

His Excellency informed the Board of the misbehavior of Richard Jennes 3d of Rye Esqr relative to forging sundry Deeds &c and asked the advice of the Council relative to suspending or dismissing the said Jenness from his office of Justice of the Peace. The Council did advise that the said Richard Jenness the third be dismissed from his said office.

His Excellency ordered to be read at the Board the petition of Seth Wells for himself and 29 associates for a tract of land which they therein represent to be so mountainous broken & ordinary that no persons hitherto would apply for the same situate on Connecticut river between the township of Woodbury (as surveyed & marked by Mr. Whiting & now on file in the Surveyor Generals Office) and Cockburn not exceeding four miles & extending easterly six miles only to or toward the Corner of said Woodbury thence by a strait & direct line to Cockburn thence by the line of Cockburn to the river being about acres more or less as contained within the fore-mentioned Boundaries. Advised to.

At a Council held at Portsmouth by his Excellencys summons Fryday March 19, 1773.

Present

His Excellency the Governor

Theodre Atkinson, Danl Warner, Jon Warner, Daniel Rindge } Esqrs.

George Jaffrey, Danl Rogers } Esqrs.

His Excellency proposed Thursday the 15th day of April next

as a day of public fasting & prayer throughout this Province to which the Council did advise.

His Excellency proposed Ichabod Rollins as a Justice of Peace for the County of Strafford to which the Council did advise.

Also Zaccheus Clough as a Justice for the same County. Advised to.

A Petition of John Gilman late a Major in the Provincial Service for a grant of some of his Majestys wild Lands having been 27 years in the Militia & suffered much in the service at the siege of Fort Wm Henry.

The Council advised to 2000 acres.

At a Council held at Portsm° by his Excellencys summons Tuesday 23d March 1773.

Present

His Excellency the Governor

Theodre Atkinson	Esqrs.	George Jaffrey
Danl Warner		Danl Rogers
Jona Warner		Peter Gilman
Danl Rindge		

His Excellency proposed Mr Peter Green as a Justice of Peace for the County of Rockingham. Advised to.

A hearing was this day had on the Petition preferred by Saml Livermore Esq & David Hobart entered 28th Nov last The Council did thereupon unanimously advise that the said Petition be dismissed.

At a Council held at Portsmouth by his Excellencys summons Tuesday April 13th 1773.

Present

His Excellency the Governor

Theodre Atkinson	Esqrs.	Danl Rindge
Danl Warner		Danl Peirce
Jona Warner		George Jaffrey
		Danl Rogers

His Excellency proposed to the Board to grant to Timothy Nash & Benja Sawyer 2000 acres of land in consequence of their Petition entd sometime ago. The Council did advise to the same provided the said 2000 acres do not interfere with any other grant.

The Petition of Nathaniel Rogers of Orford for a Township of land near Umbagog Lake was read at the Board The Council did advise that the same be granted not to interfere with any other grant.

The Petition of Josiah Moody for himself and associates pray-

ing that they may look out a Town-ship in this Province and that they may have a grant of the same on the usual conditions & reservations. Advised not to interfere with any other grant.

A petition of James Karr of Goffestown for allowance of his acc^{o} & the Physicians bill am^{s} to £9: 8: 3 for the care of one James M^{c}Mahon an indigent person accidentally taken sick at his house was read at the Board referd to the Hon^{ble} J Warner G Jaffrey & D Rogers Esq^{rs} who are to make enquiry & report as soon as is convenient.

His Excellency proposed Jethro Sanborn of Sandown and Senter of Moultonborough as Justices of the Peace for the Counties in which they live. To which the Council did advise.

His Excellency proposed Kimbal of Heniker as a Justice of Peace for the County of to which the Council did advise.

At a Council held at Portsm^{o} by his Excellencys summons Monday May 10th 1773.

Present

His Excellency the Governor

Theod^{re} Atkinson Jon^{a} Warner Dan^{l} Rindge	Esqrs.	Daniel Peirce George Jaffrey Dan^{l} Rogers	Esqrs.

Otis Baker John Plummer Asa Porter John Gage John Wentworth of Somerworth Joseph Badger John Flagg Joseph Atkinson Eben Thompson Samuel Blodgett Dan^{l} Sanborn of Sanbornton Joseph Sias Ebenezer Smith of Meredith Moses Little George Frost Daniel Brainard Israel Morey John Wheatly Joseph Peverly & Valentine Mathes Esq^{rs} being appointed Justices of the Peace for the respective Counties in which they resided at the time of their appointment The Council did advise his Excellency to prevent any doubts or difficulties that the names of the said Gentlemen be therefore erased from the Commission of the Peace for the County of Rockingham & that the Clerk of the Sessions of the said County forthwith notify each of them accordingly.

At a Council held at Portsmouth by his Excellencys summons Tuesday May 18, 1773.

Present

His Excellency the Governor

Theod^{re} Atkinson Daniel Warner Jon^{a} Warner Dan^{l} Rindge	Esqrs.	Dan Peirce George Jaffrey Dan^{l} Rogers	Esqrs.

The Com^{ee} appointed to report on Johnston's Petition for a

Ferry made report this day referd for consideration to the second Tuesday in October next.

The Petition of Wm Sam[l] Johnson, Agur Tomlinson and others for a tract of his Majestys ungranted and uncultivated lands was by his Excellencys order read at the Board. Advised to.

The Petition of James Richardson in behalf of himself and associates for a grant of his Maj[tys] uncultivated lands was read at the Board by his Excellencys order.

Advised to.

His Excellency order'd to be read at the Board the Petition of James Reed Esq to have Monadnoc N° 4 incorporated.

Advised to.

Also the Petition of James Reed for a Township of six miles square of his Majestys ungranted lands in this Government. Advised to.

Also the Petition of Ephraim Sawyer by Israel Morey Esq[r] his Agent for six Miles square of his Majestys uncultivated lands in this Government. Ordered to lay for consideration.

His Excellency was pleased to nominate John Hurd, Moses Little, Asa Porter & Bezaleel Woodward Esq[rs] as Justices of his Maj[tys] inferior Court for the County of Grafton. Advised to.

At a Council held at Portsmouth by his Excellencys summons Fryday May 28, 1773.

Present

His Excellency the Governor

Theod[re] Atkinson		George Jaffrey	
Dan[l] Warner		Dan[l] Rogers	
Jon[a] Warner	Esqrs.	Peter Gilman	Esqrs.
Dan[l] Rindge		Tho[s] W[k] Waldron	
Dan[l] Peirce			

The Petition of John Crane of Hanover Physician for leave to erect a Hospital in some remote part of said town for inoculation for the Small Pox was read at the Board The Council did advise that the same be dismiss'd.

The Petition of Benj[a] Pomroy Nath[l] Whitaker & Ralph *Wheelock* in behalf of themselves & their associates for a tract of ungranted Lands in this Province of six miles square was by his Excellencys order read at the Board.

The Council did advise that the prayer of the Petition be granted provided it does not interfere with any other grant.

At a Council held at Portsmouth Saturday May 29th 1773.

Present

His Excellency the Governor

Theodre Atkinson Danl Warner Jona Warner Danl Rindge Danl Peirce	Esqrs.	George Jaffrey Danl Rogers Peter Gilman Thos Wk Waldron	Esqrs.

His Excellency proposed to the Board to grant to Powers & his associates who have petitioned therefor a tract of his Majestys ungranted lands in this Government sufficient for a Township. To which the Council did advise.

His Excellency proposed to the Board that the Revd Dr Wheeloc be appointed a Justice of Peace through the Province. Advised to.

His Excellency was pleased to nominate the Honble Thos Wk Waldron as first Justice and the Honble John Wentworth Esqr & Otis Baker & John Plummer Esqrs as Assistants Justices of the County of Strafford. Advised to.

His Excellency proposed the same Gentn as Justices of the Peace for the County of Strafford as were resident there before the County was made active. Advised to.

A letter from his Excellency Govr Hutchinson having been read at the Board on Thursday last by his Excellencys order requesting that one or two of the Council of this Province might be prevailed on to attend the trial of Ansell Nickerson at Boston on Wednesday next at which time neither of the Members of this Board inclined to attend said trial his Excellency was pleased this day again to recommend it to the Board that one or two of the Board would attend said Trial.

The Honble Thos Wk Waldron having begged leave to decline serving in the office of first Justice of the Comon Pleas for the County of Strafford his Excellency was pleased to nominate the Honble John Wentworth as first Justice and that George Frost Otis Baker & Jno Plummer be Assistant Justices. To which the Council did advise.

At a Council held at Portsmouth by his Excellencys summons Saturday June 26 1773.

Present

His Excellency the Governor

Theodre Atkinson Danl Warner Jona Warner Daniel Rindge	Esqrs.	Daniel Peirce George Jaffrey Danl Rogers	Esqrs.

His Excellency ordered to be read at the Board an Instruction from his Majesty prohibiting the granting any more lands (unless

to such officers & soldiers as are entitled to it by virtue of the Kings Proclamation) till his Majestys pleasure be signified thereon.

At a Council held at Portsmouth on Wednesday the 30th day of June 1773 by his Excellencys summons.

Present

His Excellency the Governor

Theod^re Atkinson, Daniel Warner, Jon^a Warner } Esq^rs

Daniel Rindge, Daniel Rogers } Esq^rs

His Excellency directed to be read a Petition of the Selectmen of the Town of Portsmouth setting forth that it is not in their power to prevent persons going down to the Pest House Island to be inoculated for the Small Pox to the great danger of the Inhab^ts of this Town & Province & therefore praying the advice & assistance of his Excellency & the Council thereon.

The Council did therefore advice his Ex^cy that the said Selectmen take order that no person hereafter presume to go down to the Pest House Island without licence first had and obtained from the Governor and Council And that if any person shall disobey this order and shall go down & receive the infection there or elsewhere they shall be confined 42 days after their recovery and until an order for their return be obtained from the Governor & Council and pay the whole expence attending such confinement beside being subjected to any other Penalty the Law inflicts.

The Council did further advise that in case any Physician shall without leave from the said Selectmen presume to go down to the Pest House Island they shall be obliged there to remain at their own expence till an order for their return be obtained from the Governor and Council and that the said Selectmen be careful to appoint a proper Guard to see these orders executed & report their proceedings to the Governor and Council from time to time also that the said Selectmen immediately make this order public.

His Excellency was pleased to nominate Henry Rust of Wolfeborough Esq^r for Judge of the Probate of Wills &c for the County of Strafford Advised to.

At a Council held at Portsmouth by his Excellencys summons on Wednesday July 7, 1773

Present

His Excellency the Governor,

Theod^re Atkinson, Dan^l Warner, Jon^a Warner, Dan^l Rindge } Esq^rs.

George Jaffrey, Dan^l Rogers } Esq^rs.

His Excellency ordered to be read at the Board the Petition of

W^m Simpson for leave to keep a Ferry within one mile & a half above and below the Town Landing in Orford.

The Council did advise his Exc^y thereupon to grant the said Ferry to said Simpson to extend one mile above & one mile below said Landing as the river runs.

His Excellency was pleased to nominate David Hobart Esq^r as a Justice of the Common Pleas for the County of Grafton in the room of Moses Little Esq^r who by reason of his other business out of this Province had declined that office.

His Excellency laid before the Board a letter from his Exc^y Tho^s Hutchinson Esq^r Gov of the Mass Bay inclosing summons from the Gov^t & Council Judge of Admiralty & Collector of the Customs of this Port to attend the Tryal of Ansell Nickerson on the 28^th of July current at Boston & earnestly recommending their attendance.

Also another letter from said Gov^r Hutchinson informing his Excellency that one M^r Bridgham a Merch^t in Boston had informed him that he had reced from this Province 27 Counterfeit Milld Dollars through the hands of the Post. The Council did thereupon advise his Excellency that the Secretary inform the Hon^ble Peter Gilman Esq^r (a member of this Board & a Justice through the Province) of this Matter and desire him to make a thorough examination thereinto & recognize any suspected persons for their appearance at the next Superior Court.

At a Council held at Portsmouth by his Excellencys summons Wednesday Aug 4, 1773

Present

His Excellency the Governor

Theodore Atkinson, Jon^a Warner, Dan^l Rindge } Esq^rs

Dan^l Peirce, Dan^l Rogers } Esq^rs.

His Excellency acquainted the Board of his having received information that some Persons are now supposed to be employed somewhere on Connecticut river in Counterfeiting Dollars.

The Council did thereupon advise his Excellency that the Attorney General be directed to take every legal step in his Power to detect the said offenders & bring them to speedy Justice.

His Excellency was pleased to nominate Mr Seth Wales & Mr Joseph Holbrook as Justices of the Peace for the County of Grafton. Advised to.

At a Council held at Portsmouth by his Excellencys summons Tuesday Aug. 17, 1773,

Present

His Excellency the Governor

Theod^re Atkinson, Dan^l Warner, Jon^a Warner, Dan^l Rindge } Esq^rs

George Jaffrey, Dan^l Rogers } Esq^rs

His Excellency ordered to be read at the Board the Petition of Enoch Hale Esq^r in behalf of the Inhabitants of Monadnoc No. 2 or Middletown that the same may be incorporated.

Advised to.

His Excellency proposed to the Board that —— Merrill Esq^r late a Justice of the Peace for the County of Rockingham be removed from s^d County & appointed a Justice for the County of Grafton. Advised to.

At a Council held at Portsmouth by his Excellencys summons Wednesday Nov 3^d 1773,

Present

His Excellency the Governor

Theodore Atkinson, Jon^a Warner, Daniel Rindge } Esq^rs.

George Jaffrey, Dan^l Rogers } Esq^rs.

His Excellency ordered to be read at the Board the Petition of Breed Batcheller as Agent for the Proprietors of Monadnoc N^o 6 to have the same incorporated by the name of Parkersfield. Ordered to lay.

The Petition of Francis Green setting forth that he as a Lieutenant in the 40^th Regiment was employed in the most fatiguing & hazardous services in the late War & therefore praying for a Grant of 2000 Acres of Land agreable to the Kings proclamation. Advised to provided the Petitioner is entitled to it agreable to the proclamation and the land can be found.

His Excellency proposed Thursday the 25^th Curr^t as a day of Public Thanksgiving throughout the Province — Advised to.

His Excellency was pleased to nominate M^r Jacob Sheafe as a Justice of the Peace & of the quorum for the County of Rockingham. Advised to.

Also Major James Richardson as a Justice of Peace for the Countys of Grafton & Strafford. Advised to.

At a Council held at Portsmouth by his Excellencys Summons Fryday Nov 26 1773

Present

His Excellency the Governor.

Theod^{re} Atkinson Dan^{l} Warner Jon^{a} Warner	Esq^{rs}	Dan^{l} Rindge George Jaffrey Dan^{l} Rogers	Esq^{rs}

His Excellency acquainted the Board that the Office of Judge of Probate of Will &c. for the County of Rockingham being now vacant by the death of John Wentworth Esq^{r} he nominated John Sherburn of Portsm^{o} Esq^{r} for that Office to which the Council did advise.

His Excellency was pleased to nominate Col^{o} Sam^{l} Gilbert of Lime as a Justice of Peace — the County of Grafton. Advised to.

At a Council held at Portsmouth by his Excellencys summons Saturday Dec^{r} 11th 1773,

Present

His Excellency the Governor

Theod^{re} Atkinson Dan^{l} Warner Jon^{a} Warner	Esq^{rs}.	Daniel Rindge George Jaffrey	Esq^{rs}.

His Excellency ordered to be read at the Board a Petition of James Hickey praying that Doctor Little may have liberty to go down & attend his son who has the Small pox by inoculation at the Pest house.

It appearing to the Board from the examination of George Gains & W^{m} Langdon two of the Selectmen of the Town of Portsm^{o} also of Doct^{r} Bracket and D^{r} Little that certain Persons are infected with the Small Pox in the natural way, and by inoculation without any leave or permission first had & obtained whereby the safety of the People is imminently endangered, Therefore advised that the Selectmen of the Town of Portsmouth be directed strictly to execute the Order of the Gov^{r} & Council of the 30th of June 1773.

And that they take effectual Order to prevent any Boat Vessel or Canoe or any persons from them or either of them coming to the shore or Landing on the Pesthouse Island except only such Boat or Persons as are licensed by the Selectmen or by the Governor and Council upon any pretence whatsoever And that the said Selectmen do place a sufficient Guard on the said Island to repel any attempt to disobey this Order Also that no Person or Vessel Goods Cloathing or other thing supposed to be infected or that now is or hereafter may be on the said Island be discharged removed or liberated from the custody of Quarantine in any man-

ner or on any pretence whatsoever until an Order be first had therefor from the Governor with advice of the Council.

That the prayer of said Petition be granted said Hickey first giving Bond in the sum of one hundred pounds proclamation Money with two sureties to the Selectmen of this Town that he will pay the Costs that may arise therefrom and that Dr Little also give Bond with surety in the like Penalty that he will strictly obey the order of the 30th of June aforesaid and that he will not directly or indirectly inoculate for the Small pox or give or communicate that infection to any Person whatever within this Province nor attend advise assist or give any Medicine or otherwise afford medical or Chirurgical aid to any Persons whatever on the said Island save only the son of the Petitioner and one woman named Anne Morrell now on the said Island and that the said Dr Little abide on said Island without moving therefrom from the time he lands thereon until the further Orders of the Governor and Council And that the said Selectmen be served with a Copy of this Vote.

The said George Gaines & Wm. Langdon having acquainted the Board that sundry Persons broke out with the Small pox at Rye His Exy asked the advice of the Council whether they think it expedient to send for the Selectmen of said Rye to make enquiry whether they had taken the proper methods required by Law to prevent its spreading. The Council did advise that the said Selectmen be summoned to appear before the Gov & Council at 11 o'clock A. M. on Tuesday next for that purpose.

Adjourned to Tuesday next at 11 o'clock A. M.

At a Council held at Portsmo by adjournment on Tuesday 14th Decr 1773

Present

His Excellency the Governor

Daniel Warner, Jona Warner } Esqrs Daniel Rindge, George Jaffrey } Esqrs

His Excellency acquainted the Board that he had recd an order from His Majesty in Council dated Sept 1st 1773 disallowing the Act entitled "An Act to dissolve the marriage of Greenwood Carpenter of Swanzey in this Province with Sarah Leathers formerly of Charlestown in the County of Middlesex in the Province of the Massachusetts Bay."

The Council did thereupon advise that a Proclamation be printed in the New Hampshire Gazette in consequence of the order aforesaid to render the said act null and void.

The Selectmen of the town of Rye appeared agreable to the summons sent them on Saturday last His Excellency with advice of the Council ordered them to apply to a Justice of the Peace for

a Warrant requiring that every legal step be pursued to secure said town from the infection of the Small pox. Also that they employ one Man as a guard to prevent the persons sick & those who are suspected of being in danger of having taken the infection from leaving the house or homes they now are confined in that they acquaint this Board with any new Circumstances that may happen And that they do not suffer any Person or Persons recovered of said Distemper or who it is feared are infected with it to be released without an order from his Exc^{y} and the Council.

At a Council held at Portsmouth by his Exc^{y} summons on Monday Decem^{r} 19th 1773

Present

His Excellency the Governor

Theodore Atkinson	Esq^{rs}	Dan^{l} Rindge	Esq^{rs}
Dan^{l} Warner		George Jaffrey	
Jon^{a} Warner		Dan^{l} Rogers	

His Excellency ordered to be read the Petition of D^{r} Clement Jackson setting forth that his son in law D^{r} Stephen Little having complied with the order of Council of the 11th Instant & seen his two Patients at the Pesthouse out of danger of the small pox is desirious of returning to town and therefore praying that he may have leave so to do.

The Council did thereupon advise that an order issue to the Selectmen of this Town impowering them to liberate the said D^{r} Little from the Pesthouse after taking care that he is sufficiently cleansed from all danger of communicating any infection and complied with the tenor of his Bonds And that the two Patients under his care are entirely well of the Small pox that he may have neither necessity or pretence to attend them at the said Pesthouse after he is first discharged from quarantine.

Whereas it appears that D^{r} Bracket & D^{r} Little have inoculated sundry persons contrary to order and to the great danger of spreading the Small pox in the town of Portsmouth.

Voted that no Doctor surgeon or Physician be employed or permitted to attend Patients at the Pesthouse or infected with the Small pox in any other place until he shall first have taken an Oath and given Bonds in the Sum of £100 lawful Money with two Sureties that he will comply with the orders of Council of the 30th of June last & 11th Dec^{r} Instant.

His Excellency ordered to be read at the Board the Petition of D^{r} Joshua Bracket praying that his wife may have leave to return home from the Pest House she being recovered of the small pox &c.

No person appearing to enforce this Petition or to make it appear that the Wife of the Petitioner can be released with safety to the People it is ordered to lay for further consideration.

His Excellency ordered The foll^{g} for y^{e} Probate to be read the Petition of John Wentworth Esq^{r} & Tho^{s} Wallingford Gent^{n} Exec^{rs} of the last Will & Testament of Mark Wallingford late of Somersworth Gent^{n} dec^{d} setting forth that they had presented the said Will for probate thereof to Henry Rust Esq^{r} Judge of Probate for the County of Strafford & Previous thereto a Caveat had been lodged by W^{m} Pearne of Portsm^{o} & Mary his wife against the said Wills being proved Notwithstanding which the said Henry Rust Esq^{r} adjudged their objections insufficient from which judgment the said W^{m} & Mary appealed to the Gov^{r} & Council as a Supreme Court of probate but have not prosecuted said appeal. The Petitioners therefore pray that a Citation may issue to the said Wm & Mary to appear and show cause why an order should not issue from this Court as a Court of Supreme probate to the said Henry Rust Esq to grant Letters testamentary & proceed upon said Will as though no such Appeal had been taken.

The Council did thereupon advise that a Citation issue to said William & Mary for them to appear & shew cause as aforesaid on Tuesday the 11th of January next.

His Excellency was pleased nominate Ammiruhamah Cutter Esq^{r} for Portsmouth as a Justice of the Peace for the County of Rockingham to which the Council did advise.

At a Council held at Portsmouth Fryday Jan^{y} 14th 1774

Present

His Excellency the Governor

Theod^{re} Atkinson, Dan^{l} Warner, Jon^{a} Warner, Dan^{l} Rindge } Esq^{rs}

Daniel Rogers, Peter Gilman } Esq^{rs}

A Petition was read at the Board from the Selectmen of Windham praying for the allowance of their acc^{ts} for the support of one James Gillespy an indigent stranger who came there about the middle of Dec^{r} 1772 & died Octo 29th 1773.

Voted that the Hon^{ble} Daniel Rindge & Daniel Rogers Esq^{rs} be a Committee to examine the Acc^{ts} & vouchers of the Selectmen afores^{d} and make Report to this Board as soon as may be.

His Excellency proposed Nathan Batchellor of Loudon for a Justice of the Peace for the County of Rockingham. Advised to.

Also Isaac Andrews of Hillsborough for a Justice of Peace for the County of Hillsborough. Advised to.

His Excellency ordered to be read at the Board a Petition of sundry of the Inhabitants of the Society Land for an incorporation for reasons mentioned in said Petition. The Council did advise that a Charter of incorporation be granted by the following bounds viz. Beginning at the N. W. Corner of Francestown from

thence E. to the easterly side line of the Society Land so called from thence N to the Corner of the said Society Land from thence by the s[d] Society Land westerly to Contoocook River bounding partly on the towns of Henniker and Hillsborough from thence as the River runs as far as that an E Line shall strike the said N W Corner of Francestown from thence by said E Line to the bounds first mentioned.

The Com[tee] appointed to report on the Petition of the Selectmen of Windham this day verbally reported that the sum of £15.8.3 be granted to the said town on their lodging Proof in the Sec[ys] Office that s[d] Gillespy was a Pauper Stranger & incapable of being removed from the time of his coming into said town till his death.

JOURNAL OF THE HOUSE.

[CONTINUED FROM PAGE 885, VOL. VI., PROVINCE PAPERS.]

NOTE BY THE EDITOR.

Before the meeting of the next Assembly the Governor had occasion to ssue the following Proclamation:

[Copied from "Vermont State Papers," 1823, p. 17.]

By his Excellency

BENNING WENTWORTH, ESQ.

Captain General, Governour and Commander in Chief of his Majesty's Province of New Hampshire, in New England, &c.

A PROCLAMATION.

Whereas his Honor CALDWALLADER COLDEN, Esq. Lieutenant Governor and Commander in Chief of his Majesty's Province of New York, hath lately issued a Proclamation of a very extraordinary Nature, setting forth, that King Charles the second, on the 12th Day of March 1663–4 and the 29th June 1674, did by his several Letters Patent of those Dates, grant in Fee to his Brother the Duke of York, among other things, all the Land from the West side of Connecticut River to the East side of Delaware Bay: And therein also set forth, or describes the Bounds of New Hampshire; in which Description there is a very material Mistake; besides, there is omitted the Fact, on which the Description of New Hampshire depended, viz. His Majesty's Determination of the Northen and Western Boundaries of the Province of the Massachusetts Bay in 1739: And Nothing can be more evident, than that New Hampshire may legally extend her Western Boundary as far as the Massachusetts claim reaches, and she claims no more: — But New York pretends to claim even to the Banks of Connecticut River, although she never laid out and settled one Town in that part of his Majestys Lands, since she existed as a government.

When New York Government extends her Eastern Boundary to the Banks of Connecticut River, between New York and the Colony of Connecticut, and to the Banks of said River, between New York and the Province of the Massachusetts Bay, it would have been full early for New-York to declare that the Government of New Hampshire, was fully apprised of the Right of New York, under the before recited Letters Patent to the Duke of York.

In virtue of the final Determination of the boundary Lines settled by his late Majesty between this Government and the Massachusetts Bay, all the Lands capable of settlements, have been erected into Townships, agreeable to his Majestys commands, and a considerable Revenue is daily arising to the Crown, unless interrupted and impaired by his Honor's Proclamation, which New Hampshire will not be answerable for.

At present the Boundaries of New York to the Northward are unknown; and as soon as it shall be his Majestys Pleasure to determine them, New Hampshire will pay a ready and chearful obedience thereunto; not doubting but that all Grants made by New Hampshire, that are fulfilled by the Grantees, will be confirmed to them, if it should be his Majesty's Pleasure to alter the Jurisdiction.

For political Reasons, the claim to Jurisdiction by New York, might have been deferred, as well as the strict Injunction on the civil Power, to exercise Jurisdiction in their respective Functions, as far as the Eastern Banks of Connecticut River.

The said Proclamation carrying an Air of Government in it, may possibly affect and retard the settlement of his Majestys Lands, granted by this Government; For preventing an Inquiry to the Crown of this Kind, and to remove all Doubts that may arise to Persons holding the Kings grants, they may be assured, that the Patent to the Duke of York is obsolete, and cannot convey any certain Boundary to New York, that can be claimed as a Boundary, as plainly appears by the several boundary lines of the Jersies on the West, and the Colony of Connecticut on the East, which are set forth in the Proclamation, as part only of the Land included in said Patent to the Duke of York.

To the End therefore, that the Grantees now settled, and settling on those lands, under his late, and present Majesty's Charters, may not be intimidated, or any way hindered or obstructed in the Improvement of the lands so granted; as well as to ascertain the Right, and maintain the Jurisdiction of his Majesty's Government of New Hampshire as far Westward as to include the grants made; I have thought fit, by and with the advice of his Majesty's Council to issue this Proclamation, hereby encouraging the several Grantees, claiming under this Government, to be industrious in clearing and cultivating their Lands, agreeable to their respective grants.

And I do hereby require and command all civil officers, within this Province, of what Quality soever, as well those that are not, as those that are Inhabitants of said lands, to continue and be diligent in exercising Jurisdiction in their respective offices, as far Westward as Grants of Land have been made by this Government; and to deal with any Person or Persons, that may presume to interrupt the Inhabitants or settlers on said Lands, as to Law and Justice doth appertain, the pretended Right of Jurisdiction mentioned in the aforesaid Proclamation, notwithstanding.

Given at the Council Chamber in Portsmouth, the 13th day of March, 1764, and in the fourth year of his Majesty's Reign.

B. Wentworth.

By his Excellency's Command
with advice of Council.

T. Atkinson, jun. Secretary.

God Save the King.

SPECIAL CONVENTION.

[p. 383.] Minutes of a Convention begun and held at Portsmouth on Wednesday the 25th of Janʸ 1764.

Met—nine members present.

Thursday, Janʸ 26th 1764.

Met, and in the forenoon there was nineteen members & of which the Secʸ was informed (*a*). Adjourned.

(*a*) From Journal of C. & Assem. Jan^{y} 25th 1764.

Present.

His Excellency the Governor

Theodore Atkinson	Esqs.	Joseph Newmarch
Rich^{d} Wibird		James Nevin
Jn^{o} Downing		Theod Atkinson, jun.
Dan^{l} Warner		Nath^{l} Barrell.

Friday, Jan^{y} 27th 1764.

The Secretary brot down his Excellency's Mess^{a} with the Earl of Halifax & General Gage's Letters. All which was read, and copies of them on file.

Governor's Message.

[Copied from MS. Gov^{rs} Mess^{a}, Vol. III., p. 241.]

The distressed state of his Majesty's Southern Colonys with respect to the Barbarous and Inhuman murthers committed by the Indians on the Frontiers of those Gevernments call for the assistance of the neighboring Governments to check if possible the rapid progress of the Savages & prevent by every measure the war allready begun, from becoming general, when we must not expect to escape the fatal effects of it.

To answer this salutary purpose General Gage has made a requisition of Two hundred men from the government, and the Earl of Hallifax, one of his Majesty's principal Secretary's of State, by the King's Command, has signified to me his Majesty's pleasure, that I should assist with such a number of Troops as the Commander-in-Chief should think proper to direct: To give you all the light I can in this essential service, I have directed the Secretary to lay before you both the Earl of Hallifax's and General Gage's letters, which must be returned after a proper use is made of them, hopeing you will pay a chearful & ready obedience to his Majestys commands, as it may be a means of preventing greater evils, should the war become general.

B. Wentworth.

Council Chamber in Portsmouth,
25th January 1764.

Letter of the Earl of Halifax.

[Copied from MS. Correspondence, Vol. III., p. 267.]

St James, Oct^{r} 19th 1763.

Sir —

His Maj^{ty} being informed by Dispatches lately received from Sir Jeffrey Amherst Commander in chief of his forces in North America, that the Insurrections of the Indian Nations which have for some time been Increasing now bear the appearance of becoming general, has judged it necessary to require the assistance of such of his Colonies as are most interested by their situation or most able by their circumstances to contribute to the general Purpose of Defence & of annoyance of the savages in order to put the most speedy end to the great mischiefs of which this extensive & most barbarous state of war is productive.

I am therefore to signify to you his Majesty's pleasure that you earnestly recommend it in his Majesty's name to the General Assembly of the Province under your Government forthwith to make Provision for enabling you to call out a sufficient number of the militia or to raise such a reasonable number of

troops as from the actual state of the Indian war Sir Jeffrey Amherst shall think necessary & to employ them not only in defending & protecting the lives & properties of his Majesty's subjects on the Frontiers of your Government, but also in acting offensively against the Indians at such places and in such manner as the said Comander-in-chief shall judge proper to direct, and his Majesty trusts that the Legislature of your Government from their zeal & affection for this service as well as from a just regard to the safety & welfare of the Colony will readily & chearfully concur in exerting themselves upon this important occasion to the end that his Majesty's subjects in North America may peaceably enjoy the fruits of the many glorious successes obtained there by his Majesty's victorious arms during the late War, & the extensive advantages secured to them by the late Peace.

I am with great truth & regard,
Sir, your most obedient humble servt,

DUNK HALIFAX.

Govr of New Hampr.

NOTE.

[The letter of Gen. Gage has not been found, but the following minute of its contents is found in the Jour. of C. & Assem. Jan. 27th 1764.]

"The President acquainted the Board that he had recd his Excellencys message in writing of the 25th Inst directed to both houses with his Excellencys Directions to communicate the same to the Council, & then to send it by the Secy to the Assembly in which message he takes notice of a letter he recd from General Gage (1) dated New York the 6 of December last wherein he makes a requisition of two Hundred men to serve against the Indians above Niagara &c. and also of one other letter he recd from the Earl of Halifax dated St. James October the 19th last relative to the above Indians."

The clerk of the House not being present, ye members made choice of Capt. Thomas Wk Waldron as clerk pro tempore.

Voted That Mr. Speaker, Colo Weare, Colo Gilman, Colo March & Capt. Thoms Wk Waldron be a Committee to joyn with such as the Honble Council shall appoint to consider of his Excellencys Messa of the 25th Inst. & the Letters therein referr'd to & make Report what may be proper for the Governmt to do thereon. Sent up by Col. Goffe.

The Secy came down & said the Council had joyned a Committee & would attend on the affair in the afternoon.

Convention adjourned till 3 o'clock, P. M.

The Committee of both Houses took under consideration, his Excellys Messa & the two letters therein referr'd to. Adjourned to Saturday morng 10 o'clock.

(1) Gen. THOMAS GAGE, here referred to, was the one who had command in Boston, at the beginning of the Revolutionary war. His father was Viscount Gage of Castlebar in the County of Mayo, Ireland. In 1755, he was Lt. Colonel of the 44th regiment in the expedition against Fort Duquesne under Gen. Braddock, and commmanded the vanguard on the 9th of July, in the fight which then took place. He was slightly wounded, and after the battle carried General Braddock off the field. In 1759, under Gen. Amherst, he was in the attack on Fort Ticonderoga. In 1760, he was appointed Governor of Montreal, after the capitulation of that city. In 1761, he was raised to the rank of Major General, and in 1763, succeeded Gen. Amherst as commander of his Majestys forces in North America. In 1770, he rose to be Lieutenant General, residing in New York till 1774, when he removed to Boston, being appointed Governor of Massachusetts. In May 1775, the Provincial Congress declared him to be an inveterate enemy of the country, unworthy of the obedience of the colony. In October, 1775, after the battle of Bunker's Hill, he departed for England, and died April 2d, 1787.—ED.

Saturday January 28th 1764.

[P. 386.] The Committee of both Houses for taking under consideration the subject matter of his Excellencys Speech of the 25th Instant & the Letters therein Referred to, made their Report this day, which was read, and

Voted That it be accepted.

Resolved, That Colo March with such as the Honble Council shall appoint be a Committee to wait on his Excellency with the Report, which Report was as follows, viz.

The Committee of Both Houses agreeable to the vote of yesterdays Date have taken under consideration his Excellencys Message of the 25th together with the Letters from the Earle of Halifax & General Gage relative to the Raising & Paying Two hundred men mentioned in the Generall's Letter & Recommended In his Excellys said Messa & think it utterly beyond the power of this Province to Raise & pay such a number of men having no way to raise money but by a Tax upon the Polls & Estates of the Inhabitants already burthen'd by the vast expense of the late War beyond any probability of being able to pay these arrears now annually doubling upon them, & must agreeable to the several acts by which the sums were Emitted be paid agreeable also to the Act of Parliament & his Majestys repeated Instructions: And to attempt the raising & paying such a number of men by an other Emission of a paper currency would, we apprehend, be fruitless & attended with mischievous consequences well known to every considering person the least acquainted with the circumstances of the Province.

We beg leave farther to mention our opinion of the Earle of Hallifax's Letter which we think was not in his Majestys Instruction (in the presen case) to reach this Province; his Majesty "judging it necessary to require the assistance of such of his Colonies as are most Interested by their situation or "most able by their circumstances to contribute to the general purposes of "Defence."

[P. 385.] These words the Committee conceive plainly point out the Colonies to expect to joyne in the present expense. We have not taken notice of the preparation Required of this Province being two-thirds of the number resolved to be rais'd by the Governmt of New York and those to serve as guards within the Limits of that Government; Ours to march to Niagara &c. this arising from the Generals not being acquainted with peculiar circumstances of affairs in this Province — her *carriter* forbiding any Imputation of such partiality, and for these Reasons as well as many others, the Committee are humbly of opinion that it is not advisable to attempt the raising the men, especially as sundry Tribes of the Southern Indians have lately made their submission, and are now at peace & quiet, & also the Indians about Lake Erie, Detroit &c. the Five Nations have absolutely declared their attachment to his Majesty, as has also Cohanawagus or French Mohock so that the end proposed by raising these men seem in a great measure answered without them; but if a few straging Indians should still stand out and molest the Southern Colonies they are too opulent & too Populous to need or require any assistance from this Province, who are in the same situation with the Southern Colonies with respect to such Indians & have from its first settlement to the Date of the late peace with France ever been involved in Indian wars, without the least aid from the Southern Colonies (then in profound peace) or one regular soldier in his Majestys pay.

Jany 28th 1764.

By request of the Committee

Theod Atkinson, Chairman.

Province of New Hampshire

In Council, Jan^{y} 28th 1764,

Read & ordered to be sent down to the Hon^{ble} Assembly

Theod^{r} Atkinson, Jun^{r}, Sec^{y}.

[P. 386.] Province of New Hamp^{r} Jan^{y} 28th 1764.

At a Convention of the members of the General Assembly by his Excellency's order,

The above report read & accepted & sent up for concurrence.

Henry Sherburne, Speaker.

In Council, Eodem Die

Read & Concurred

Theod. Atkinson, jun. Sec^{y}.

Mr. Sec^{y} came into the House and said that his Excellency had ordered him to inform the members at this Convention that he had nothing further to lay before them.

Wednesday April 11th 1764.

Met according to Prorogation — adjourned till

Thursday, April 12th 1764.

Mr. Sec^{y} came down & said his Excellency desired the attendance of the Speaker & members present at the Board.

[P. 387.] Mr. Speaker & the House Immediately attended at the Board, where the President read his Excellency's speech to Both houses of yesterday's date. After the house had returned to their Room, Coll^{o} Goffe sent to the Board to desire a copy of his Excellency's speech.

Mr. Sec^{y} Brot the same down, a copy of which is on file.

Governor's Message.

[Copied from MS. Gov^{rs} Mess^{a} Vol. III., p. 259.]

Gentlemen of the Council and of the Assembly —

It was my Intention to have put off this Session unto a further day, but finding that it would interfere with the Courts of Law I avoided it, and as the public cannot be better served, than when the Legislative Body give a strict attention to business, it will give me a great satisfaction to see such a spirit prevail during the course of this session.

Gentlemen of the Assembly —

As I have no Commands from his Majesty, but what I have frequently and pressingly laid before you, I must refer you to my former speeches to carry them into execution so far as it concerns you,— so I shall only recommend the making an ample provision for the necessary charge of the current year, in all cases that are essential to support the Honor and dignity of the Government, and that nothing may be wanting on my part to forward a measure so necessary, I shall direct the Treasurer to prepare his accounts for your guidance and direction.

Gentlemen of the Council and of the Assembly —

As nothing can give me greater pleasure, than to see the prosperity of the Province during my administration, so I shall take infinite satisfaction in concurring in any measures that may have a tendency to advance and secure her real Interest to the latest Day.

B. WENTWORTH.

Council Chamber in
Portsmouth, April 11th, 1764.

Voted the Honble Hy Sherburne, & Mesheck Weare Esq. be a Comittee to prepare an answer thereto.

Province of
New Hampr

Portsmouth, April 10th 1764.

The Committee appointed by vote of the Genl Assembly to receive & tell over the money that is or may be in the Treasury in the Recess of the Court belonging to any of the sinking Funds have, agreeable to said vote Received of George Jaffrey Esq. as Treasurer of sd Province seventeen hundred forty seven pounds Eight shillings & one penny sterlg, and agree to Report that said sum was Recd from the Committee for drawing Bills of Exchange & were of the several Emissions, viz.

£3: 15:	of	Jany 1st, 1759
4: 5: 6	of	Apr. 2d, 1759
6: 18	of	Novr 1, 1759
217: 6: 9	of	Jany 1, 1760
1501: 1: 10	of	Mar. 1, 1760
14: 1	of	Jany 1, 1761
£1747: 8: 1		

By order of the Committee

Theod. Atkinson, Chairman.

The above Report being read

Voted That it be Received, accepted & allowed, & that the Comittee bring sd money into the house in the afternoon to be burnt to ashes. [Which was done accordingly.]

The vote on the agents acct that went to Albany in the year 1756, which passed this house Jany 20th 1763, which was not then assented to by his Excellency, being Brot into the house was revoted & the vote thereon was only new Dated, viz. this Day Apr. 12th 1764. Sent up by Col. Moulton. [Concurred.]

[P. 388.] The Clerk sent to the Board to inquire after all the votes & acts &c. that had passed the house the last sessions &c.

The Secy Brot down the foregoing acts, with a number of other votes & acts not yet passed on.

[P. 389.] The Committee brot into the house an answer to his Excellys speech, which was read.

Voted That it be accepted &c. a copy of which is on file.

Answer to his Excellency's Speech.

[Copied from MS. Govts Messa, Vol. III., p. 261.]

May it please your Excellency

Altho the season of the year is such as particularly asks our attention to our Private affairs, and therefore the putting off this session to a further day, as your Excellency had intended, must on that account have been very agree-

able to us, yet we cannot but be sensible of your Excellency's care for the good of the Community, in not putting off this Session to a time which would interfere with the Law Courts, where so great a number of persons from all parts of the Government, even the most remote are obliged to attend, which frequently occasions great complaints if those Courts are put by.

We are very sensible that a strict attention to the business of the Publick by those who have the care thereof must be at all times highly necessary, and that the situation of the Publick affairs of this Province at this time Peculiarly ask for such an attention, which on our part we find a hearty Disposition to, and doubt not but your Excellency will have the satisfaction of seeing this Relative to all the affairs which may be before us.

In making Provision for the necessary charges of the currant year, we shall pay the greatest Regard to his Majesty's Commands at any time signified to us, and those things which are for the Honour & Dignity and truest Interest of the Government, as far as we are capable of Promoting them, will be our highest ambition to pursue. And your Excellency's assurance of the Pleasure it would be to you to see the Prosperity of the Province during your administration and in concurring in any measures that may have a tendency to advance and secure her real Interest to the latest Day gives us the highest satisfaction and most pleasing hopes.

Voted that the preceding be sent in answer to his Excellencys Speech to both Houses of the Eleventh Instant.

S. H. S. S.

[P. 390.] The petition of Timothy Walker Read & ordered to be heard thereon at 4 o'clock, P. M.

NOTE BY THE EDITOR.

[Inasmuch as the petition presented by Rev. Timothy Walker, minister of the town of Rumford, forms an important item in the history of the long controversy between the Proprietors of Bow and the inhabitants of Rumford — now Concord — and is of public interest; it is here inserted in full, from a copy of said petition in the hands of the editor.]

To his Excellency Benning Wentworth Esqr. Capt. General Governor Commander in Chief in & over his Majestys Province of New Hampshire, The Hon'ble his Majestys Council & House of Representatives in General Assembly Convened April 11th 1764.

The humble Petition of Timothy Walker on behalf of himself and the Inhabitants of Rumford so called in said Province,

Sheweth, That the Affairs of the said Inhabitants (so far as relates to Town matters) have been in great confusion Ever since the year 1749 for want of the Power which they had till then enjoyed ever since the year 1741, by the District Act (so called) which this Hon'ble Court say in July 1746 when it was revived had been found "Convenient both for the Government of this Province in General and also the Inhabitants Incorporated thereby in particular.

That altho it has been pretended that they might still have Enjoyed the same priviledges (as Inhabitants of Bow) yet they never understood Matters in that light. And for this their opinion and Practice consequential thereupon they humbly conceived they would give reasons which would be satisfactory to this Court were they permitted — But to pass over all this — This Power or the Exercise of it has been lost to them (if Ever they had it) ever since March 1756 for want of a first Meeting —

That by the year 1760 they were so heartily tired of such an unsettled state that they would have been glad to have acted Even under the Incorporation of Bow, if they could (altho highly inconvenient for them as it blended part of three townes together whose interests had always been sepperate & would Consequently be apt to create strife & contention.)

That this Court was apprised of their utter Incapacity of doing Corporate Act (Even as Bow) by a Letter signed "Jeremiah Stickney," in behalf of him-

self and others now on file togeather with their dutiful & ready disposition to Comply with every motion of this Court, to the utmost of their Power — That the said Inhabitants conceive themselves greatly aggrieved by a late act of this Government imposing a heavy Tax on the Inhabitants of Bow as arrears &c. a Tax which Nobody had Power to assess and collect at y^e^ time when y^e^ s'd arreages become due and which if now done must be laid in many Instances on wrong Persons.

That what they suffered for want of the Powers had enjoyed by the first mention'd District Act was unspeakably more to their Damage than to have paid their Proportion of the Province Expence.

That the Incapacity complained of all along still continues and yet the People are subjected to pay their part of the Current Charge but no body has power to assess or collect it.

They therefore most humbly Pray that your Excellency and Honors will take the matters complained of under consideration and either revive the said District Act so far as relates to Rumford, or (which wo^d^ be much more satisfactory to the said Inhabitants) Incorporate them by a standing act and by their former known Boundaries that the said Inhabitants may be abated at least one half part of said arrearages.

And that with respect to their part of the Current Charge of the Province they may be subjected to pay no more than their just proportion with the other Towns in this Province & grant them such other Relief as in your great wisdom and goodness you shall see meet.

And your Petitioner as in Duty bound shall ever pray &c.

TIMOTHY WALKER.

In Council April 13^th^ 1764.

Read & Ordered to be sent down to the Hon'ble Assembly.

T. Atkinson, Jun. Sec^y^.

[This Petition was followed by a letter addressed to *Henry Sherburne*, Esq., who was at this time a Member of the Assembly and Speaker of the House.—ED.]

To Honourable Henry Sherburne Esq^r^ at Portsmouth per favour of Maj^r^ Stark.

Rumford Apr^ll^ 26, 1764.

Sir —

I have no manner of Doubt but I could convince the honorable assembly that y^e^ People of Rumford never had power to act under y^e^ Incorporation of Bow any further than some special Acts Impowered them to choose officers to assess & collect y^e^ Province Tax — but I apprehend we have no need to goe back so far for whatever power any of these acts gave them it has been lost ever since March 1756, In which month Ezra Carter & Moses Foster Esqrs & John Chandler Gentleman were enabled by an act of July 1755 to call a meeting of y^e^ Inhabitants of Bow & which meeting they never warned & no Body that we know of has had any power to warn one ever since I understand it has been objected by some of y^e^ Bow Proprietors that y^e^ Incorporation we ask for would cut their Town into shreads, &c. but the Plan which I Inclose (which is exactly agreeable so far as relates to these matters to that which Mr. Bede drew by order of court to be used in y^e^ case between Bow & Rolfe &c.) Shews that part of Suncook which Bow claims lying to y^e^ westward of Merrimack River is a good deal larger than that on y^e^ east side thereof which is now Pembroke & consequently large enough for a good Parish & as to y^e^ Rest I can only say that we have upwards of an Hundred Families settled within & upon y^e^ claim of Rumford & so far as I know they to a man desire to be joined in y^e^ Incorporation — as to any that had Petitioned to be laid to New Hopkinton, could be only those who settled under that part of Grant which Bow claims — if there are any of our People that petitioned for that it must be Ezekiel Dimond, Daniel Chase, Juner & Jonathan Chase which I believe Col^o^ Goffe knows are y^e^ only Families which are at all handy

for Hopkinton but I dare be confident that not one of them or any else of our people have Joined in that Petition but if they have their Names are on File — and whilst we have thus above an Hundred Families united in a request for this Incorporation there is not a single Family that I know of settled upon ye Land which we claim except Stinson, if I dont mistake his name who lives on ye south east corner of our Township & is already taken into Pembroke and if that corner still remains to Pembroke we shall make no objection — there are moreover about ten of our Families which are without Bow claim & consequently pay nothing of the Tax which lies so heavy on ye rest but they are so situated as not to be convenient for them to be laid to any of ye Bordering Towns; please to communicate this Letter if you think proper, with my dutiful respects to ye Honble assembly — I should have waited upon them ye 1st of May, but am unable — as to the Truth of ye Facts it must be collected from your own minutes &c.

I am Sr your most obedient Humble servt

Timo Walker.

Honble Henry Sherburn Esqr

Province of New Hampr } In the house of Representatives May 3d 1764.

This Petition being read

Voted That what the said town of Bow is now in arrears for the Province tax be collected agreeable to an Act passed the second of June 1763 that the Inhabitants settled on the lands between said Bow, Canterbury & New Hopkinton (except such as are already polled off to Pembroke & New Hopkinton) be taxed & pay their proportion thereof & that the inhabitants of Bow with the inhabitants on all the lands between said Bow, Canterbury, Boscawen, New Hopkinton (Except such as are already polled of to Pembroke & New Hopkinton) meet togeather some time in the month of June next at Bow & choose all necessary Officers for assessing & Collecting the annual province Tax & for transacting all other town affairs & afterwards some time in the month of March annually untill further orders of the Genll Assembly & that he have liberty to bring in a bill accordingly.

A. Clarkson, Clerk.

Whereas wolves have of late come down in great Numbers on several towns in this Province & have Destroy'd many sheep and may probably do much more Damage unless sufficient Incouragement for hunting & killing them be given, and as the Bounty for killing them given by the Laws of the Province seem not sufficient for the present emergency, therefore

Resolved & Voted That the bounty to be paid out of the province Treasy for every grown wolfe killed after this date in the currant year in any of the towns, Parishes or places within this Province where any Inhabitants reside, shall be seven pounds ten shillings new Tenor on & above the fifty shillings mentioned in the act of this Province Entitled an act for the Encouraging the killing of wolves to be paid by the Treasurer upon a certificate from a constable in the manner mentioned in said Act & a Certificate from a justice of the Peace that the party had made solemn Oath, that such wolf or wolves were killed in some Town or Place in the Province as above mentioned. Sent up by Mr. Page.

[p. 391.] Mr. Secy came into the house & said he was directed by his Excellency to prorogue the General Assembly to Tuesday the first day of May next & said accordingly in his Majestys name they were prorogued.

Tuesday May 1st 1764.

Not members sufficient to make a house. Adjourned till

Wednesday May 2d 1764, P. M.

The Clerk sent to Council Board to Inquire after all the Acts & votes passed this house last sessions, that were not concurred by the Council & assented to by his Excellency, who returned & said he had DD' the Messa to the President, the Secy not being at the Board.

[P. 392.] Voted, That Collo Goffe & Major Richard Downing be a Committee to wait on his Excellcy to inform him there was a house.

Thursday May 3d 1764.

The Honble Nathanl Barrell came down & said his Excellcy desired the attendance of the house at the Board. The house immediately attended when the President Read his Excellencys speech to both Houses of the 1st Instant, a copy of which is on file.

Governor's Message.

[Copied from MS. Govrs Messa, Vol. III., p. 265.]

Gentlemen of the Council and of the Assembly —

At the Instance of the House of Representatives I was prevailed upon to prorogue you until this day, hopeing to meet you disengaged from your private concerns, that your whole attention might be employed in the public service.

Gentlemen of the Assembly —

Since the Prorogation I have not any commands from his Majesty that Immediately concern you, so that the common & ordinary affairs of the Province are the Principal things that lay before you, and since the season calls for your diligence in discharging your duty to the Public, I shall hope you will make that your principal object.

Gentlemen of the Council & of the Assembly —

The great end of Government is never more fully answered than when the Legislature unites in support of the Honor, Interest and advancement of the dignity of the Province. These are, and allways shall be the Standard of my administration; and if more frequent opportunitys had presented, I should have made greater advances in those points, and as they are Elegible in themselves so they would have afforded me the greatest pleasure & satisfaction.

B. Wentworth.

Council Chamber in Portsmouth
May 1st 1764.

The Honble Joseph Newmarch Brot down the following acts &c viz.

Act for town meetings & assessments.
Do. for choice of Representatives.
Do. Small Pox.
Do. for easy partition of Lands or Real Estates.
Do. Sabbath.

Do. Proprietary meetings.
The Albany agents acc^{ts}.
The vote for bounty on wolves.
Henry Appleton & wife's petition.
The petition of Benj^{a} Page.
The petition of Ichabod Bracket.
The petition of Joseph Baker & Phillip Eastman (*a*).
Ditto of Henry & Wm. Bostwick about Fling (*b*).
Ditto of Rowland De Paiba of Albany about do (*c*).

(*a*) Jour. C. & Assem. May 2^{d} P. M. 1764. The petition of Joseph Baker & Phillip Eastman, Collectors of the Province Taxes for the town of Bow setting forth that they had not been able to collect the whole of the tax & Praying some further Time may be allowed them &c. &c. Read & sent down.

(*b*) The Petition of Henry Bostwick & William Bostwick of the City of Albany setting forth that James Flyng of New Market in this Province was by virtue of an Execution on a Judgment of the Superiour [Court] in this Province committed to Goal &c. that the said Flyng broke Goal &c. & Praying for reasons assigned they might receive the debt due out of the Treasury &c. Read & sent down. [(*c*) Petition of Roland De Paiba, the same.]

[P. 394.] His Excellency's speech of the 1st Instant to both houses being read,

Voted, That Cap^{t} Thom^{s} W^{k} Waldron, John Wentworth Esq. & And^{w} Clarkson be a Committee to prepare an answer thereto & lay the same before the house, as soon as may be.

Friday, May 7th 1764.

[P. 396.] Voted That the Treasurer send out his warrants for Collect^{s} y^{e} Province Tax for the currant year which may be paid in species agreeable to the prices fixed to the following Merchantable Articles of the produce of this Province viz.

Barr Iron,	at	£6	pr Hundred.
Hemp	at	: 3	pr Pound
Indian corn	at	: 10	pr Bushell
Rye	at	: 10	pr Ditto
Peas	at	1 "	pr Ditto
Winter Wheat	at	1: 10	pr Ditto
Barley	at	: 10	pr Ditto
Pork	at	: 1: 6	pr pound
Beef	at	: : 9	pr Ditto
Flax	at	: 3:	pr Ditto
Beeswax	at	: 5:	pr Ditto
Baberry wax	at	: 3:	pr Ditto
Well tanned sole leather,	at	: 4:	pr Ditto
Tallow	at	2: 6	pr Ditto
Winter & spring cod fish	at	4 :	pr Quintle
Pitch	at	3: 10:	pr Barrell
Tar	at	2:	pr Do
Turpentine	at	4:	pr Do
White pine Joyst	at	6:	pr Thousand
White pine boards	at	7:	pr Do.
White oak two Inch plank,	at	25:	pr Do.

Sent up by John Hale Esq. [concurred.]

Whereas by an Act passed the first of March 1760 for Emitting Fifteen thousand pounds sterling for the Ends & purposes therein mentioned Eight thousand pounds of which was Emitted dated March 1, 1760 & the Remaining seven thousand pounds was emitted Dated Jan^{y} 1, 1761, agreeable to said act by which a Tax of five Thousand pounds ster^{gs} is to be collected & paid into the Treasury by the 25th day of Dec^{r} next, & whereas large sums of each of said Emissions have been Rec^{d} into the Treasury by Bills of [p. 397.] Exchange & Tax in the room of other Bills, which have burnt to ashes in the face of the General Assembly, by which means it will be very difficult for the Inhabitants to pay their Taxes this present year in the Individual ster^{g} money, Therefore

Resolved & voted that the said Tax of five thousand pounds ster^{g} may be collected & paid into the Treasury in any of the ster^{g} Bills already Emitted by this government.

Sent up by Sam^{l} Emerson, Esq. [concurred.]

The Bill for Easing certain persons therein named, being Quakers, of a Tax to which they were assessed as in same Act is Declared, having been read three times,

Voted That it pass to be enacted. S. H. S. S.

P. M.

His Excellencys speech of the 1st Inst to both houses was Returned this afternoon by Mr. Stevens. The house's answer thereto this day is on file & sent by Mr. Jennes & Capt. Frost.

Answer to his Excellency's Speech.

[Copied from MS. Gov^{rs} Mess^{a}, Vol. III., p. 267.]

May it please your Excellency —

We beg leave to thank your Excell^{y} for your Speech to both houses of y^{e} 1st Inst. We are fully sensible that nothing tends more to support the true Interest & Dignity of the Government than a constant Harmony between the respective Branches of the Legislature. This we aim at & this we shall strive & hope for.

With the greatest assiduity and pleasure we shall dispatch the business before us & flatter ourselves that the salutary bills w^{ch} may be laid before y^{r} Excell^{y} this sessions will present a fresh opportunity of enjoying those solid pleasures which flow from acts of Benevolence & public spirit.

[p. 398.] Saturday May 5th 1764.

The Committee appointed to take an Inventory of Starkstown made their Report yesterday which Report is on file, and

Voted That the petition of Caleb Page having Reference thereto be dismissed. Sent up by Col. Goffe. [Concurred.]

[P. 399.] Tuesday May 8th 1764.

The Committee appointed to examine the Committee of War's accts for the year 1762 presented said accts this forenoon with their Report thereon, which was read & is as follows: viz.

Portsmouth, May 7th 1764.

We being a Committee appointed by the General Assembly to examine the accts of the Committee for transacting affairs Relative to the Expedition for Raising Troops for securing his Majestys Dominion & Conquest in North America have carefully Examd the acct of Richard Wibird Esq. Chairman of sd Committee, for the year 1762 & find the same well vouched & Right cast & that there is a Balance due thereon in favour of the Province of seven hundred & four pounds sixteen shillings & three pence half penny sterling.

Joseph Newmarch, A. Clarkson } Committee.

£704: 16: 3 1-2 Sters.

The said acct and the above Report being read,

Voted, That the above Report & the accts therein referred to be accepted & allowed, that the Committee be discharged from ye Respective sums therein charged against them & that they pay the Balla due thereon into the Treasury Immediately, to lay till further order of the General Assembly taking his Rect therefor. Sent up by the Clerk. [Concurred.]

[P. 400.] Province of New Hampr

Portsmouth, May 7, 1764.

We being a Committee appointed by the Genl Assembly to examine the Treasurer's Accts have accordingly examined the accts of George Jaffrey, Esq Treasurer of said Province from the last settlemt which was on the second day of Jany 1763 up to this Date wherein he makes a Ballance due to the Province of three hundred & fourteen pounds twelve shillings sterling in gold Ballance of Five hundred & twenty six pounds five shillings & four pence & a half penny sters of the Emissions of sterling money on the credit of this Governmt as well a Ballance of four thousand Eight hundred & thirty nine pounds six shillings & Ten pence half penny New Tenor due to the Province & find the same Right cast & well vouched Except as follows, viz. That he has not accounted for the Province Tax for 1763 & only for about half the Excise for the years 1762 & 1763, & there is still more money to be accounted for by way of Bonds. Likewise the sd Treasurer has not accounted for the outstanding Taxes as Rendered in sd accts, viz. for seven thousand one hundred & fourteen pounds two shillings & six pence new Tenor & for one hundred forty eight pounds nineteen shillings & six pence sterling which after the several Ballances ought & should be the second Entry in his next acct — all which is humbly submitted

Theodr Atkinson, R. Wibird, H. Sherburne, A. Clarkson } Committee.

The Treasurer's Acct & the above Report thereon being read,

Voted & Resolved that the said Treasurer's accts & the above Report thereon be Recd, accepted & allowed, and that the Treasurer not only charge himself with the Respective Ballances mentioned therein but with the several sums therein said to be out-

standing, as pr his acc^{t} Rendered of outstanding Taxes in his next Acc^{t} to be rendered as Treasurer of said Province, and that the Treasurer be allowed to charge the Governm^{t} in his next acc^{t} with one hundred & thirty three pounds six shillings & Eight pence sterl^{g} as Sallary allowed him from Jan^{y} 2^{d} 1763, to the second day of May Instant, it being one year & five months (at one hundred pounds ster^{g} pr year. S. H. S. S.

Sent up by Mr. Jennes & Emerson. [Concurred.]

[p. 401.] The petition of the selectmen of the town of Portsmouth being read (*a*).

(*a*) Jour. C. & Assem. May 8, 1764. Mr. Frost from the house brot up the petition of the Selectmen of Portsmouth setting forth the Inconveniency of holding their Town meetings in the Meeting-house, & desiring Liberty to have Town meetings in the State House, with a vote of the house thereon settling the terms, &c.

Voted That the prayer of the said Petition be granted in the following manner. viz. That the Town of Portsm^{o} have Liberty of holding their Town meetings for the future in the lower Room of the State house, Provided the town at their own Expence will finish in a Decent & handsome manner the room upon the lower floor of the State House, finding all the materials for plaistering, ceiling & whatever is necessary that the same may be finished in a workmanlike manner, and cause the same to be so finished within a reasonable time.

Sent up by Major Wright.

[p. 406.] The petition of the Agent of the Town of Newington praying for a straight line between them & Portsmouth:

Upon reading said petition of John Knight Esq. & John Pickerin as agents for the Parish of Newington to have a strait line from a place called Grays at Piscataqua river to Pickerins Farm at Great Bay as the dividing Line between s^{d} Newington & Portsmouth, it was agreed by the agents for both places afores^{d}, that a plan should be taken representing the line as it now runs between said Parish & Portsmouth, & the line prayed for by said petition, likewise the Farms divided by both said lines & who are the owners, & the several publick Highways running near each of said lines & the houses standing on said Farms, and that Simeon Dearborn of Greenland be the surveyor to take said plan, who shall take two Indifferent chainmen & put them on oath, not to be of Portsmouth or Newington, to be done as soon as may be.

Voted That the said Simeon Dearborn be & hereby is appointed to take said Plan &c & to make Report to the General Assembly as soon as may be.

Sent up by Mr. Blanchard. [Concurred.]

Thursday, May 10th 1764.

[P. 407.] Whereas the Committee for Transacting affairs on the part of the Governm^{t} Relative to the Sundry late Expeditions in North America, have this day informed the house that they have a Quantity of small arms & other stores in their Custody belonging to this Province & desired the opinion of this house to know in what manner they would have them disposed of, Therefore,

Voted, That they be desired to have them sold at Publick vendue for the most they will fetch, giving Public notice of time & place of sale in the New Hampshire Gazette three weeks successively, and after the proper charges arising by said sale are deducted, that they pay the Remainder of said money into the Treasury taking y^{e} Treasurer's Rec^{t} therefor, there to remain till further orders of the General Assembly, & that said Committee lay their acc^{t} of sales thereof before the house as soon as may be. Sent up by Major Blanchard. [Concurred.]

The petition of the Inhabitants of the Parish of Rye & Portsm^{o} praying Leave for a Lottery to enable them to purchase a highway thro' said Parish being Read,

Voted, That the prayer thereof be granted & that the petitioners have leave to bring in a bill accordingly. Sent up by Mr. Wiggin.

P. M.

Invoice of Sundry Weights & Measures shipt on board the Treyton, Captain Edmund Coffin for New England, in acc^{t} & Risque of the Province of New Hampshire & consigned to selectmen of said Province.

	P. N. H. A Cask.	
1 Brass bushell measure	£10: 10	
1 half bushell do	5: 15: 6	
1 peck do	3: 10	
1 half peck do	2:	
1 Quarter peck do	1: 7	
1 full quart do	18	
1 pint do	0: 12	
1 half pint do	8	
1 gill do	8	
1 half gill do	6	
1 wine quart standard measure	18	
15 Brass Bell w^{ts} from 56 to 1 Dram	7: 7	
Sizing & sealing the above	2: 7: 6	
1 large & 1 small sett of stamps	1: 1	
		37: 8
2 a Cask q^{e}.		
1 Ell & yard	1: 11: 6	
1 Brass Instrum^{t} for guaging Cask by Gunter	2: 5	
1 Neat Strong Steel Beam with Ropes &c. Scales to weigh 400^{e}	7: 7	
2 Cask	16	
		11: 19: 6
		£49: 7: 6

Amount brought forward	£49: 7: 6
Charges.	
Entry shipping & Bills of Lading	7: 6
Insurance £50 at 50s pr cent	1: 5:
Sterling	51: 0: 0

London, July 30th

Errors Excepted,

For Trecothick & Thomlinson

pr George Apthorp.

The Treasurer's Receipt for the above articles being lodge in the Treasury, which Rec^{t} was wrote on the Invoice & is as follows: viz.

Province of New Hampshire, April 3^{d} 1764, Received the above articles into the Province Treasury to be used as the General Assembly shall order.

pr Geo. Jaffrey.

The President Bro't down the original & left it with the Speaker of which y^{e} above is a copy & the original sent up to the Board pr the Clerk.

Friday May 11th 1764.

[P. 409.] Voted, That Col^{o} Weare, Col^{o} Gilman, Col^{o} March Capt. Waldron, Major Blanchard, John Hale Esq^{r} be a Committee of this house to wait on his Excellency & confer with him about dividing the Province into Countys & to Inform him that there is a number of Bills of Great Consequence that can't possibly be compleeted this week & to desire his Excellency to adjourn the house to a short day for that Reason.

P. M.

The petition of Robert Thompson praying relief in certain deeds given by him of certain lands, to Major Joseph Smith & Thomas Chesley of Durham, being read,

The House took the matter under consideration, and Refer'd the affair to Captain Thomas W^{k} Waldron & Andrew Clarkson for their Inspective Examination & strict scrutiny in order that strict Justice, if possible may be done to both parties & make Report to this house thereon as soon as may be.

[P. 410.] Saturday, May 12th 1764.

The Committee made their Report on the petition of Robert Thomson, w^{ch} was read & is as follows, viz.

Ports^{o}, May 11th, 1764.

Agreeable to the above vote we have heard both parties & examined into s^{d} affair and all matters relative thereto. Do agree to Report, that if the said Robert Tompson, on or before the first day of July next, pay unto the s^{d} Smith & Chesley the sum of four thousand three hundred and thirty six

pounds six shillings. old Tenor, in any of the money on the Credit of this Government, that the said Smith & Chesley shall be obliged to give unto the s[d] Robert their Deed or Deeds of s[d] Lands as mentioned in s[d] petition (not a Warrantee) and that they at the same time deliver unto the same Tompson all his Notes of hand they have against him to this day: But on failure thereof the Lands mentioned in s[d] Petition shall be and remain the property of s[d] Smith and Chesley for Ever, as they having paid the full value thereof; and in this case the s[d] Smith & Chesley shall on the before mentioned Day of payment Deliver up unto the s[d] Rob[t] Tompson all his Notes of hand as above mentioned, they then having no right to Detain them.

All which is humbly submitted,

Thom[s] W[k] Waldron
A. Clarkson.

The said Petition & this Report thereon being read,

Voted & Resolved that the above Report be Received and accepted and that the parties conform thereto. Sent up for concurrence. [Concurred.]

Whereas a Bill passed this house the 3[d] Instant Intituled an act for ascertaining what places may send Representatives to the General Assembly, with a suspended clause not to be in force till his Majesty's pleasure should be known, therefore

Voted, That the Committee appointed to correspond with the agents of this Province at the Court of Great Britain forward an [P. 411.] authenticated copy of said Bill under the Province seal to the said agents & direct them to use their utmost endeavours to obtain the Royall approbation thereof.

Sent up by the Clerk (*a*). [Concurred.]

(*a*) Votes, acc[ts], bills &c. passed by the House and concurred by the Council, from April 11[th] to May 12[th], 1764.

Jour. C. & Assem. Benjamin Page, allowed for two sons viz. Jeremiah & Samuel, wounded in the service at Oswego, £4: 17: 6 sterling.

Henry Appleton's petition to be allowed to sell real estate — leave to bring in a bill & passed.

Wyseman Claggett Esq. as agent for Ichabod Brackett, of New Market, petition denied.

Additional bounty on Wolves heads, £7: 10 New Tenor.

Petition of Martha Pearson, granted, for a partition of a piece of land.

John Robinson, allowed £8 sterl[s] for service in 1762, under command of Captain Beedel.

Sterling bills of the Province to be received in payment of Taxes.

Supply Bill for granting to his Majesty £3000 New Tenor. passed. Fish act, passed.

An act for the partition of Real estate in common.

Governor's house rent, allowed £250 new Tenor, one year.

Matthew Livermore, as Attorney General, allowed	£30:	N. Ten[r]
Rev. Samuel Langdon & Rev. Sam[l] Haven, each	12: 10	"
Theodore Atkinson, jun. Sec[y] allowed	300:	"
Thomas Packer, sheriff	40:	"

Capt. Bell, of Fort Wm. & Mary, allowed £50: 9 N. Ten[r].

Also Capt. Bell's muster roll allowed, £1126: 2 N. Ten[r].

Daniel Fowle for printing, allowed £55: 1.

Theod. Atkinson, jun. for books &c. in his office, allowed £79: 10 old Ten[r]

Henry Sherburne, Esq. allowed £14: 12: 6 new Ten[r].

Hon. Theo. Atkinson, for telling money, allowed £10: 16 sterling.

Act to ascertain a certain inheritance, passed.

Bill for the choice of Representatives, passed.
Quaker act, passed.
Mrs. Elizabeth Pascal, allowed to dispose of land, &c.
Bow act relating to collecting arrearages of taxes, passed.
An act to enable Ebenezer Miller of Braintree, Mass. to sell land in Bedford, N. H.

Mr. Secy came down & Informed the house that he was directed by his Excellency to adjourn the General Assembly to Tuesday the 12th day of June next & then to meet at this place at 10 o'clock before noon, & said accordingly in his Majesties name they were adjourned.

Tuesday, June 12th 1764.

Not a sufficient number of members to make a house — adjourned till

Wednesday, 3 o'clock, P. M.

Voted that a message be sent to the board to Inquire If any of the acts & votes that past this house the last session, laid before them not concurred, & if there was any that was concurred & not assented to by his Excellency. The Clerk was sent up with the above Messa (*a*).

(*a*) Jour. C. & Assem. There were present of his Majesty's Council, at this session,

His Excellency Benning Wentworth, Esq. Governor.

Theodore Atkinson Richard Wibird John Downing Daniel Warner	Esqs.	Joseph Newmarch James Nevin Theodore Atkinson jun Nathaniel Barrell	Esqs.

Thursday June 14th 1764.

The petition of Edwd Russell for himself & behalf of the Rest praying for Easmt of Taxes in Bow as paying towards their former arrearages.

[P. 412.] Upon reading the within Petition, (*a*)

(*a*) Jour. C. & Assem. June 14, 1764. The petition of Edward Russell & alii Representing the unreasonable Tax laid on them to pay the arrearages of said Town, their Poverty &c. & beg they may be released from Paying the Tax to arrearages due to the Province from said Town of Bow. Read & sent down (1).

Voted That the Petitioners be heard thereon the 2d day of the sitting of the General Assembly after the first day of August next & that the Petitioners at their own cost serve the selectmen of Pembrook, Ezra Carter Esq. and Capt John Chandler of said

(1) See said Petition in Secy's office, "Towns," Vol. I., Bow. — Ed.

Bow, who are by act appointed to make the Assessments for the tax referred to in the within petition, with a copy of this Petition & order of Court thereon that they may appear & shew cause if any they have why the prayer thereof should not be granted; and further it is Resolved that the Collectors appointed for collecting said tax shall forbear collecting the proportion assessed on the within Petitioners untill the time herein appointed for a hearing. S. H. S. S.

Sent up by Majr Rlanchard. [Concurred.]

[P. 415.] Voted That the Honble Henry Sherburne, Meshech Wear Esq. Colo Peter Gilman, George Frost Esq. & Andrew Clarkson be a Committee of this House to joyn with such as may be appointed by the Honble his Majesties Council to take under consideration the state of the Currency of ye Province & what may be done for establishing silver & gold as a tender in Law, & at what Rate it shall answer for Debts already contracted or any other method which may be found most salutary for Establishing our medium so that Justice may take place & oppression be prevented: Also to take under consideration whether it would not be proper in some measure to Restrain persons from taking so large Interest as is now commonly paid in the Province, and to make Report to the Genl Assembly, as soon as may be.

Sent up by Christopher Tappan Esq. [Concurred & Comtee appointed.]

Friday June 15th 1764.

The petition of Colo Jona Moulton as Guardian to the children of Nathl Weare late of Hampton Falls, Deceased being read. (a)

Ordered, That the Petitioner be heard thereon next Wednesday & that he cause the mother of the said orphans to be served with a coppy of this petition & order of Court thereon, that she may appear & shew cause if any she have why the prayer thereof should [not] be granted.

Sent up by Mr. Tappin.

(a) Jour. C. & Assem. June 15, 1764. "Desiring Liberty to sell land for the maintenance of orphans &c. as is therein declared."

[P. 416.] The Report of the Committee for Revising the body of Laws being presented by them this forenoon & Read.

P. M.

We the Subscribers being chosen a Committee to Examine the acts of this Province as they stand in the new printed Law Book & to make Report thereon in order to their being Established have carefully perused the same & compared them with the acts in force and have noted down what variations we have observed, setting down the manner in which they are expressed both in the new and in the old, that the difference may readily appear to be judged of by the Court.

. . . . . .

The foregoing (1) are all the variations we find between the old & the new Edition so far as we have been able to compare, for such as are printed from Manuscript copie we could not compare not having them in our hands & having considered the alterations as we went along we are of opinion that two or three of the alterations made are not so salutary as in the old Edition, namely the alteration in the act for making affidavits out of Court by the new they cannot be taken on account of the distance from Court unless it be 20 miles from the place of Tryal, whereas by the old they might be taken if more than five miles which we apprehend Better,—so in the Act for Regulating Town & Proprietary Meetings by the new ten freeholders may Require a [P. 417.] town meeting to be called; by the old they might have any matter inserted in the next warning for a meeting, which we think better; In the second paragraph of the Act for making Lands & Tenaments lyable to pay Debts there is misprinted the word offender for the word officer which should be altered—So in the Act for Regulating the choice of Assembly-men, by the new the application is not to be to the Gen[l] Assembly unless the moderator & selectmen are divided in opinion, which we apprehend not so well as it was before when application was to be made to the Gen[l] Assembly upon any determination of the moderator and selectmen, these paragraphs we apprehend it best they should be established as they stood before; as for the other alterations we apprehend them to be in general more explicit and agreeable to the spirit of the old & that it would be salutary to the Province that they should be passed as a Body of Laws, all which is humbly submitted by

Meshech Weare
Peter Gilman

Voted that the above Report be Received accepted & allowed & that a Bill be Immediately prepared agreeable to said Report. Sent up by Mr. Toppan. [Concurred]

[P. 418.] Mr. Sec[y] Brot Down his Excellencys Mess[a] to both houses of this date with the memorial of the President & Fellows of Harvard College praying for some Relief or grant for Building a new College &c. being read.

Governor's Message.

[Copied from MS. Gov[rs] Mess[a] Vol. III, p. 269.]

Gentlemen of the Council and of the Assembly—

I have directed the Secretary to Lay before you the address of the President & Fellows of Harvard College in Cambridge, in the Province of the Massachusetts Bay.

The misfortune which occasioned this memorial is so well known to you, that I need not spend time in urging your benevolence on the occasion, and whatever grant you think consistant for you to make will be perfectly agreeable to me (2).

B. WENTWORTH.

In Council,
Portsmouth, June 15[th] 1764.

(1) The particular variations are not put down.—ED.

(2) A distressing fire occurred at Cambridge on the 25th of January, 1764. It was discovered soon after 12 o'clock in the morning, in what was then called the Old College, or Harvard Hall, which was entirely consumed, together with the Library, and the extensive Philosophical Apparatus. Stoughton and Massachusetts Halls were preserved from the flames with great difficulty, they having been on fire several times. The fire was supposed to have originated under the hearth (which was laid upon timber) as it had been kept up for a week or more for the accommodation of the General Court then sitting there. They had been driven from the Town Hall in Boston by the Small Pox. The Library room of the college was occupied by the Governor and Council, and the Representatives had a room below. Harvard Hall was four stories high, ninety-seven feet in length, forty-two in breadth, and had been built almost one hundred years.—*Drake's Hist. Boston, p.* 678.

Saturday June 16th 1764.

The memorial of Edward Holyoke, Pres[t] in the name of the corporation, with the consent of the Hon[ble] & Rev[d] the Board of Overseers, praying for a grant to Harvard College, being read, the Question was put, Whether the house would make any grant & it passed in the affirmative — a motion being made for its laying till a further house, 'twas granted & order'd to be heard next Wednesday, and the Clerk was order'd to send to all the members to give their attendance.

[P. 419.] Tuesday June 19th 1764.

Voted That Richard Jennis the 3[d] Esq. & Andrew Clarkson be a Committee of this house to joyn with such as may be appointed by the Hon[ble] Board for finishing the State house that they be supply'd with money in the Treasury for contingencies & lay their acc[ts] of the charge thereof before the General Assembly as soon as may be. Sent up by the Clerk. [Concurred and a Com[tee] added.]

P. M.

[P. 420] The Committee of the House & Council attended this afternoon, in consequence of a vote of this house y[e] 14th Instant Relative to the stating of our moneys & Interest taken thereon (which took the whole afternoon.)

Wednesday June 20th 1764.

The Memorial of Edward Holyoke, Presid[t] of Harvard College (1) as well in his own name as in the name of others as minuted on the Records last Saturday being read, as well his Excellencys Mess[a] to both houses of the 15th Instant.

The House took the matter under consideration, and the Question being put Whether the house would reconsider the Question (relative thereto) Last Saturday, which past in the Affirmative, and it past in the negative, & all the affair being sett on foot again, & after many debates thereon & the subject matter thereof maturely considered,

Resolved & Voted, That there be granted toward Restoring y[e] Philosophical apparatus for the use of the said society three hundred pounds sterl[g] to be paid unto the memorialist, That the Committee appointed by Act of governm[t] for Drawing Bills on the agents of this Province at London be & are hereby directed & Impower'd Immediately to draw Bills for said sum on the said agent in favour of the memorialist for the use aforesaid. Sent up by the clerk. [Concurred.]

(1) This memorial has not been found.—Ed.

Thursday June 21st 1764.

[P. 421.] This forenoon was taken up in Conference about dividing the Province into Countys &c. & after sundry Debates thereon, the house

Voted That Colo Weare, Colo Gilman & Major Blanchard be a Committee of this house to waite on his Excellency & confer with him thereon & make Report to this house as soon as may be.

[P. 422.] Friday June 22d 1764.

The Committee appointed to waite on his Excellency yesterday to confer with him about Dividing the Province into Countys, who inform'd the house this forenoon that they had Deliver'd ye Messa & his Excellency said he would take the matter under consideration.

P. M.

The petition of all the members of the Genl Assembly to his Excellency the Governor & his Majestys Council praying for a Township of land below & adjoining to Haverhill on Connecticut River, being read—

[P. 423.] Voted That Colo Clemt March, Colo John Goffe Major Richd Downing & Samuel Emerson Esqr immediately wait on his Excellency with said petition.

Sundry arguments & Debates in the house this afternoon of consequence to the Governmt Relative to sundry acts to be past for the good of the Community, such as the Act for settlg a medium, stateg the currency for a lawful tender, statea ye per cent of Interest &c. the Bill for the relief of poor Prisoners &c. the Bill for Regulating & Establishing the assize & price of white Loaf Bread & Bisket &c. & all ordered to be prepared against the meeting of the Assembly.

Saturday, June 23d 1764.

The Committee appointed of yesterday to wait on his Excellency Relative to the houses' petition for a Township, did accordingly waite on his Excellency last evening & this morning made their Report wch was, That his Excellency said the Petitioners prayer should be granted. The house Immediately took said Report under consideration, a motion was made by the Speaker to know the minds of the house, Whether they would vote in the Heirs to the Estate of Eleazer Russell Esq. late a member of the present house, who deceased since the last meeting of this house, a share in said Township, & it past in the affirmative by a unanimous vote, & on a motion being made by a member, second'd & third'd that Ezekiel Gummer the present doorkeeper might be

voted in as a proprietor in said Township, & it passed in the affirmative, and

Voted that Col^{o} Clement March Esq. be appointed & he is hereby appointed in behalf of the house to see to & make diligence to get the charter for said Township compleated agreeable to the prayer of said petition.

[p. 424.] Whereas the Sterling Bills emitted on the Credit of this Governm^{t} in the year 1761, 1762, 1763, are to be redeem'd in silver or gold or Bills of Exchange in order to keep up the credit thereof, & in complyance with the several acts, it is absolutely necessary that the Treasury should be supply'd with silver or gold to exchange such of the Bills as may be tender'd for that End, by the Exchange of which the silver or gold may have a longer circulation in the Province & be longer continued among us as a medium of Trade, Therefore,

Resolved & Voted, That the Committee appointed to draw bills on y^{e} Agents of this Province at London be & hereby are directed & Impowered to draw on the s^{d} agents for a Sum not exceeding one Thousand pounds sterling to be by them disposed of for the best advantage of the Province for silver & gold to be paid into the Treasury & there lay for the Redemption of said Sterling Bills of Credit as the General Assembly may order.

Sent up by the Clerk. [Concurred.] S. H. S. S.

[p. 426.] The Committee appointed by vote of this house to Inspect into the Laws of this Governm^{t} lately reported & to make Report of their doings therein as soon as may be, what they thought might be advisable & most salutary for the government for this house to do relative to their passing an Act to Establish the same as the Laws of the Province, Presented their acc^{t} of their time &c this forenoon amounting to eight Pounds sterl^{g} which was read, and

Voted unanimously that said Acc^{t} being equal to fifty pounds new tenor be allowed and paid to the Hon^{ble} Meshech Weare Esq or his order for the use of said Committee out of money in the Treasury for contingencies. Sent up by Sam^{l} Emerson. [Concurred] (*a*).

(*a*) Other votes, Bills &c. passed by the house and concurred by the Council, from June 14th to June 23^{d} 1764.

Wm. Jenkins petition for a re-hearing in a cause in law, granted.
Archelaus Moor petition to be set off to Canterbury &c. hearing granted.
Thomas Lenning, a soldier, allowed wages.
Ezra Carter's petition — a hearing granted.
Bill incorporating a new Parish in westerly part of Brentwood.
Report of Com^{tee} for telling money in the Treasury — accepted & acc^{t} of said Committee allowed.
Solomon Hutchins of Amherst, allowed £2 sterling for money burnt up in his house.
James Fullerton, of Chester, allowed £10 old Tenor for money burnt up in his house.

[p. 427.] Mr. Secy came into the house & said he was directed by his Excellency to inform the house that he was ordered to adjourn ym to Tuesday the 21st of Augst next, & then to meet at the State house at 10 o'clock before noon, & that the attendance of all the members was desired at that time to Enter on Business of Great Importance, & Accordingly said in his Majesties name they were adjourned.

Tuesday, August 21st 1764.

His Excellency by his proclamation in the New Hampshire Historical Chronicle of August 17, 1764, Number 411, did further adjourn the General Assembly of this Province to Tuesday the second day of October next, then to meet at Portsmouth in said Province at Ten o'clock in the forenoon, & all persons concerned, are to take notice and govern themselves accordingly.

NOTE.

[The General Assembly was still further adjourned till Tuesday, 10th Novr 1764; Then to Wednesday December 26th, when, "it being a violent storm of snow not members enough for a house;" then adjourned to Dec 27th, "the storm continuing violent;" then to Decr 28th, "the storm continuing;" to 29th, 30th, 31st "the storm still continuing and not members enough come to town to make a house;" January 1st 1765, "The Travelling so Excessive bad the members could not get in & many that did was obliged to come with Rackets;" Jany 2d "bad travelling;" Jany 3d, "still bad travelling;" Jany 4th "not members sufficient to make a house come in yet."—Ed.]

[p. 429.] Saturday, January 5th 1765.

The Clerk was advis'd to write to all the absent members to give their attendance next Monday without fail, wch was done, some sent pr the members, the other Letters sent by way of Express pr Hubbard's man.

[p. 430.] The travelling still continuing very bad & difficult (no house till)

Tuesday, Jany 8th 1765.

A Letter from a Committee of the Genl Assembly of the Massachusetts & another Letter from a Committee of the Assembly of the Colony of Rhode Island, directed to the Speakr of this house Relative to sendg a Remonstrance home for Endeavoring a Repeal of the sugar Act preventing a stamp Act or any other Impositions and Taxes upon this & the other American Coloneys &c., &c. being read (1),

The Honble Daniel Warner & Joseph Newmarch Esq. came

(1) These letters have not been found.—Ed.

down & said His Excellency desired the attendance at the Council Board. The Speaker with the house attended at the Board, when the President read his Excellency's Mess[a] to Both Houses.

Governor's Message.

[Copied from MS. Gov[rs] Mess[a] Vol. III, p. 271.]

Gentlemen of the Council & of the Assembly —

I should not have met you in General Assembly at this Inclement season, had I not thought it necessary to give you an opportunity to perfect such votes & Resolutions as remain unfinished, the period for dissolving the present Assembly being near at hand.

Mr. Speaker & Gentlemen of the Assembly —

I have authority from the President & overseers of Harvard College to acquaint you, that ample provision is made for replacing the Philosophical Apparatus by another hand, so that the donation intended by this Government for that use, can be of no service as your vote now stands, unless you think proper to enlarge it, which I persuade myself you will readily do, by sending up a vote that the money intended as a donation for the apparatus shall be made use of to purchase a Library of books, which are to be distinguished in the Public Library by the name of the New Hampshire Library, &c. allso that the New Hampshire students, as soon as they are qualified to take books out of the Library shall have the preference in using the books of that Library; your donation by this method will be fixed on a more lasting foundation than if applied to the apparatus, and when you have duly weighed my proposal, I shall hope for your concurring with my sentiments.

Gentlemen of the Council and of the Assembly —

If I can contribute to the dispatch of the Public business, or be any ways assisting therein, I shall embrace every opportunity that presents consistant with duty to my Royall Master's commands.

B. WENTWORTH.

Council Chamber in
Portsmouth, December 27[th] 1764.

The House took the Province Taxes under consideration (for the year 1764 & 1765) & come to the following Resolve.

Whereas by several Acts made & passed in this Province for emitting of Sterling Bills of Credit, there is a Tax laid on the Poles & Estates within said Province of Five Thousand pounds sterling, to be paid into the Treasury by the 25[th] Day of December 1764, and also a Tax of Five thousand pounds sterling on the [P. 431.] Poles & Estates to be paid into the Treasury by the 25[th] Dec[r] 1765, neither of which Taxes are yet paid in or collected,—&

Whereas by the Acts for Emitting said Bills in the year 1760 & 1761, It is provided that in case the Agent of this Province shall at the respective Periods have any money in his hands belonging to the Province, the same or sufficient part thereof shall be improved for the calling in & sinking said Bills, & the Committee appointed for drawing Bills on the Agent or the major part of them Impowered to Draw Bills on said agent for sinking the said sterl[g] Bills, & that in such case the said Tax should be remitted or lessen'd in Proportion to what the said Committee should be enabled to draw for &c. And

Whereas it appears by the Agents Acct now laid before the General Assembly that there is money enough in his hands belonging to the Province to sink all the sterling Bills emitted in the said years 1760 & 1761 now Extant,

Resolved & Voted, That the said Tax of five Thousand Pounds sterlg to be paid by the 25th Decr 1764 & the Tax of Five Thousand pounds sterg to be collected & paid by the 25th of Decr 1765, be remitted & that the Committee appointed to Draw Bills on the agent immediately draw Bills for sinking all the sterg Bills Emitted in the said year 1760 & 1761, that may be now Extant, & that they give publick notice thereof in the Gazette as soon as may be, & that the Treasurer forthwith notify the Selectmen of the Towns & Parishes where his warrants have been sent for collecting of the sd Tax for the year 1764, that the said Tax is not to be collected or paid, &

Whereas there is the sum of Twelve Thousand Pounds sterlg belonging to this Province in the publick stocks at London under the care of the agents, It is further Resolved & Voted that it be sold out as soon as conveniently may be & the produce thereof Improved for sinking the Remainder of the sterlg Bills, & all the other Bills of Credit now circulating in the Province.

Sent up by Messrs Frost, Wright & Jennes. [Concurred.]

[P. 432.] Wednesday, Jany 9th 1765.

Sundry members applyed to be set down for Monday last they having come from home in order to attend on the Assembly, but the travelling still being bad could not get to town till yesterday, & the house allowed them to be set down; & thus in the like case it often happens that there's not members Enough to make a house, as may appear by the minutes, & yet a number sufficient set down in the collum of that Day for their allowance &c. This minute is made that in case any member should compair both the above minutes, they might easily see the Reason.

P. M.

[P. 433] The petition of Barnstead & Chichester praying for a Comtee to Establish their Boundaries, being read,

Voted, That the prayer thereof be granted, & that the Honble Meshech Weare, John Wentworth Esq. & Lieut John M'Duffey be a Committee of this house to joyn with such as may be appointed by the Honble Board to perambulate &c. the lines between the said Townships & make Report of their doings therein to the General Assembly as soon as may be, & that they notify the Selectmen of the several Towns interested, of the time of such perambulation &c.

Sent up by the Clerk. [Read & concurred].

Friday, Jan^{y} 11th 1765.

[p. 437.] Whereas the agents for this Province at the Court of Great Britain have apprised the Government that Pursuant to an order of the Right Hon^{ble} the Lords Commissioners of his Majestys Treasury & an agreement made by the agents of the several Provinces or Colonies in North America, the Province of Pensilvania is to pay unto this Province the sum of five hundred & five pounds eighteen shillings & six pence sterling part of ten thousand nine hundred forty seven pounds sterl^{g} which was paid to the said Province of Pensilvania more than the true Proportion of a grant of Parliament made to the s^{d} Provinces or Colonies in the year 1761 for the year 1760

Resolved & Voted that the Hon^{ble} Theodore Atkinson, Richard Wibird, Henry Sherburne, & Meshech Weare Esq. the Committee appointed to draw Bills of Exchange for sinking Bills of Credit of this Province, or the major part of them be & they hereby are Impowered to Draw Bills of Exchange for the said sum of five hundred & five pounds eighteen shillings & six pence sterl^{g} & give proper discharge therefor, that the Bills of Exchange be disposed of for silver & Gold to be paid into the Treasury for the Redemption of the sterl^{g} Bills of Credit of this Province emitted in the year 1760 & 1761. S. H. S. S.

Saturday, Jan^{y} 12th 1765.

[p. 438.] Yesterday His Excellency's Mess^{a} of the 27th ultimo was Read, & a motion being made that the vote which passed the house June the 20th 1764 for granting three hundred pounds sterl^{g} for Restoring the Philosophical Apparatus to Harvard College in Cambridge in the Massachusetts Bay, should be sent for to the Council Board, Mr. Speaker saying there was not a house sufficient then present to send for it, as the house did not consist of so many members this day, as when s^{d} vote passed & that 'twould be breaking through all Rules of the house to send for said vote with a *minor* & sundry others of the house acquiesced therein, But was overruled & a Mess^{a} sent to the Board to desire that said vote might be sent down to the house—

[p. 439.] The Sec^{y} Brot down said vote Relative to Harvard College, Delivered it to the Speaker saying that when the house had made what use of it they should see meet that the Council expected said vote Returned to them.

This forenoon his Excellencys Mess^{a} to both houses of the 27th ultimo was again read & the vote of this house of the 20th June 1764 for granting three hundred pounds sterl^{g} to Harvard College in the Mass^{a} Bay for purchasing a Philosophical Apparatus,

The house took the matter under consideration & after many Debates thereon came to the following vote,—

Voted, That whereas there is not so many members now present,

as there was when said vote for £300 ster^{lg} was granted for supplying the Philosophical Apparatus at Harvard College in the Mass^{a} Bay, that 'twould be breaking through all Rules of this house to act on it now, Therefore

Voted That the determination thereof be put off till some time next week & the Clerk is hereby ordered to write to all the absent members to give their attendance next week without fail (which the clerk obeyed) by sending Letters to each of them.

[p. 440.] Col^{o} March was desired by the house to waite on his Excellency (with their duty to him) for the charter of a Township to be given to this house, & to thank him in the name of this house so far as it was authenticated.

Monday Jan^{y} 14th 1765.

[p. 441.] The Charter for the Town of Piermont granted by his Excellency to the Council & Assembly, & a number of others, was Delivered to the Speaker by Col^{o} March, which was read.

Wednesday Jan^{y} 16th 1765.

[p. 443.] The petition of sundry persons from Dover for an allowance for charge & expenses for taking up & attend^{g} on sundry persons suspected to have counterfeited the Bills of this Governm^{t} &c. as therein mentioned, being read,

Voted, That the Hon^{ble} Meshech Weare Esq. & Clem^{t} March, Esq. be a Committee of this house to examine into said acc^{ts} &c. & make report to this house as soon as may be, what they thought would be best for the house to do thereon.

[p. 444.] Thursday Jan^{y} 17th 1765.

President Holyoke's memorial — being read the house took the matter under consideration & after many Debates & Deliberations thereon, In the midst of which Mr. Sec^{y} came down & said the Council desired that the vote of June last for granting £ 300 str^{g} to the Colledge for Restoring the Philosophic Apparatus might be returned to the Council Board, the house took that matter under consideration & after many Debates thereon,

Voted, that it be sent up to the Council.

Sent up by Mess^{rs} Giddings & Tappin. After this & many Debates thereon it was put to vote, Whether the house would alter the appropriation of said grant for any use to said Colledge of Harvard, & it past in the affirmative.

P. M.

[P. 445.] The house being met & all the members present this afternoon as in the forenoon a motion being made that the vote for granting £300 ster^{g} to Harvard Colledge sent up in the forenoon by Messrs. Giddings & Tappin might be recalled by a Mess^{a} from this house requiring the same as the Right & priviledge of this house, many arguments & Debates arose thereon and finally it past in the negative, after which the following vote was Read:

Whereas the General Assembly on the 20th of June last granted the sum of three hundred pounds ster^{g} towards the Restoring the Philosophical Apparatus of Harvard Colledge lately destroyed by fire, & Whereas his Excellency the Gov^{r} is pleased in his Mess^{a} of the 27th of Dec^{r} last to inform the house y^{t} "he has authority from "the President & Overseers of s^{d} Colledge to acquaint the house "that ample provision is made for replacing the Philosophical ap- "paratus by another hand, so that the donation Intended by this "Governm^{t} for that use can be of no service as the vote now "stands, &c.

Resolved & Voted that if his Excellency the Governor thinks proper to consent to the grant, the money may be applyed towards repairing the Loss of the Library by purchasing of suitable books for the use of the Society. Sent up by the Clerk. [Concurred.]

S. H. S. S.

[P. 446.] A Letter *for* Jacob Bailey directed to the Hon^{ble} General Court for the Province of New Hamp^{r} Convened at Portsmouth praying for a Road from this to Coos at the Province expense or otherwise being read,

Ordered to lay till the morning.

Fryday, Jan^{y} 18, 1765.

[P. 448.] The Bill for setting off a part of the Town of Bow & making them a Parish &c. as is therein set forth having been read three times,

Voted, that it pass to be Enacted The 19th Instant, Sent up by the Clerk.

The agents appointed in the year 1756 presented to this House this forenoon the Treasurer's Acc^{t} for the Ball^{a} of their acc^{t} due from them to the Government, w^{ch} is as follows, viz.

Province of New Hamp^{r} } Jan^{y} 17th 1765.

Rec^{d} into the Treasury of Peter Gilman Esq. & Capt. Thomas W^{k} Waldron, a sett of ster^{g} Bills of Exchange drawn by Charles Apthorp & son upon Mess^{rs} Hutchinson & Handbury in London for fifty pounds ster^{g}. Also Twenty five pounds ster^{g} money of Great Britain, also one hundred & nineteen pounds 2:6 in New York currency which they tender in full of the within Acc^{t}.

pr George Jaffrey, Treas^{r}.

The petition of Walter Bryant in behalf of Daniel Ames for bringing Mary Flood from Canterbury, who was tryed for her life & acquitted, on the supposed murder of a Bastard child, with his attendance &c. & the Acct therewith presented, Amounts to £152 old Tenor, being read,

Voted, That there be allowed twenty five pounds New Tenor in full for said petition & Acct thereto annexed & pd to the sd [p. 449.] Daniel Ames or his order, out of money in the Treasury for contingencies. Sent up by Colo Barr & Mr. Giddings. [Concurred.]

The petition of sundry persons praying an allowance for time & Expence in taking up persons supposed to be concern'd in making presses & Counterfeiting moneys of the Governmt with their several Accts being read, Amt to £59:5:6 N. Tr.

Voted, That the Honble Meshech Weare Esq. be desired to take sd petition & accts & make Report to this house as soon at may be, What may be proper for this house to do thereon.

The said Weare reported immediately that the above Accompts have been examined by me the subscriber by order of the house and the several charges in each of them appear Reasonable to be allowed.

Meschech Weare.

[Whereupon] Voted, That the prayer thereof be granted & that there be pd the sum of fifty nine pounds five shillings & six pence New Tenr to the several persons whose Names are above written (In the Report that Colo Weare made as above) or their ordr &c. the several sums to each of them as carried off against their names out of money in the Treasury for contingencies. Sent up by Mr. Giddings & Colo Barr (*a*).

(*a*) Jour. C. & Assem. Jany 19th 1765, Coll. Barr & Mr. Giddinge brot up from the house the petition of David Watson, John Kully & others praying some allowance for the time & expence in apprehending Daniel Meserve, —— Fowler &c. & carrying them to prison when accused of counterfeiting the Paper Bills of this Province in the year 1756, and vote of the House thereon for an allowance to sundry of the Petitioners.

P. M.

Mr. Secy Brot down the Charter for the Township of Piermount [p. 450] given by his Excelly to the members of this house & others, Deliver'd the same to the Speaker with the notification of the person appointed in sd charter to call the first meeting, which notification was Read & posted up in the house & the Charter was likewise read. In the house, the Council & the house mutually agreeing to sd notification that the meeting of sd Proprietors of sd Township of Piermount should be next Thursday 3 o'clock P. M. agreeable to said notification.

[P. 451.] Tuesday Jan^{y} 22^{d} 1765.

The petition of Ebenezer Sleeper, Stephen Sleeper, Joseph Godfrey & Joshua Lane all of Poplin in s^{d} Province praying they may have leave to join to Epping & become a part of that Parish with their Estates & be Poll'd & sett off accordingly &c. being read. the order of court on said petition &c. being read & (they fully attended) the Parties on both sides appear & after being fully heard thereon by themselves & attorney, the house took the matter under consideration, and

Voted said petition be Dismissed.

Wednesday Jan^{y} 23^{d} 1765.

[P. 452.] Mr. President came down & said that the Statutes of England that the Corresponding Committee with this Province Agent were order'd to write for, were come & ready to be deliver'd to the house's order.

Friday January 25th 1765.

[P. 453.] Voted that the Hon^{ble} Henry Sherburne, Meshech Weare Esq. & Andrew Clarkson be a Committee of this house to joyn with such as may be appointed by the Hon^{ble} Board to prepare an Address in answer to his Excellency's Mess^{a} to Both houses of the 27th ultimo & lay the same before the house as soon as may be (1). Sent up by Jn^{o} Page Esq.

Fryday, Feb^{y} 1st 1765.

[P. 456.] Voted, that Capt. Jno Wentworth, Major Blanchard, Capt. Carlton & Capt Worthen [be] sent to his Excellency to pray him to assent to the Bills, Resolves & votes of y^{e} [house] that now Lay before him & to inform him that the house were in waiting to know his Excellency's determination thereon (*a*).

Adjourned.

(*a*) Votes, acc^{ts}, bills, &c. passed in the house and concurred by the Council from Jan^{y} 7th to March 8, 1765.

Jour. C. & Assem. Acc^{t} of George How for going to the Gov^{rs} sundry times, allowed £23: 15 N. Ten^{r}.

Jeffrey Currier, allowed 20*s* sterling, for that amount in paper Bills burnt up.

Daniel Pierce Esq. appointed Register of Deeds &c. in this Province, one year.

Joseph Smith Esq. of Durham, appointed guardian of Joseph Tibbetts of Dover.

(1) No answer is found on record or on file.—Ed.

A bill to enable Jon[a] Moulton, Esq. guardian to children of Nath[l] Weare dec[d] of Hampton Falls, to sell lands &c.

Bill to dissolve the marriage of Sam[l] Smallcom &c.

No bills of credit to be paid out of the Treasury but silver & gold.

Reports of Committees for telling over money in the Treasury to be burnt.

Daniel Fowle acc[t] for printing for the Government, allowed £75 N. Ten[r].

Benj[a] Quimby allowed £114: 15 Old Ten[r] for money burnt in his house.

Capt. Samuel Leavitt's acc[t], allowed £54: 6: 9 1-2 Sterl[g].

Capt. Samuel Langdon & Capt. Samuel Cate's acc[t] for opening a road to the Governor's seat at Little Harbour, allowed, 26s, Proclamation money.

Selectmen of Monson for taking inventory of No. 2, allowed 16s Proclamation money.

Daniel Pierce's acc[t] for books of Records & ruling the same, allowed £9: 18 Proc. money.

Rich[d] Jennis 3[d] acc[t] for wood for Gen[l] Assembly allowed £10: 16 Proc. money.

Benj[a] Yeaton for making a Table for the Council Chamber, with covering, allowed 32s: 6d Proc. money.

Report of Committe for telling money to be burnt s[d] committee allowed £20 sterling.

Committee for reprinting Province Law-book, acc[t] allowed £21 Proc. money.

The Governor gave his assent to the following Acts passed this sessions, viz.

1. An Act to incorporate a place called New Hopkinton.
2. An Act to Inable the Proprietors of New Boston so raise money &c.
3. Granted to his Majesty a Tax of £5253: 13: 3 N. Ten[r] to sink so much Canada.
4. An Act exempting sundry persons from paying Tax in Bow.
5. Additional Act for making a road to Coos.
6. Mary Towle enabled to have a hearing of a case before Q[r] Sessions.
7. An act to prevent the loss of Writs and other proceedings of the several Courts discontinued by the repeal of the Court Act.
8. An Act giving Ed[d] Emerson the sole Liberty of erecting Potash works, &c. in Portsmouth.

Friday, March 8th 1765.

Mr. Secretary came down & said he was directed by his Excellency the Governor to dissolve the General Assembly of this Province and said accordingly In his Majesty's name they were DISSOLVED.

GOD SAVE THE KING.

[p. 1.] *Anno Regni Regis Georgii Tertii Magnæ Britanniæ, Franciæ et Hiberniæ, Quinto.*

A JOURNAL

Of the House of Representatives, At a General Assembly of his Majesties Province of New Hampshire in New England, begun and held at Portsmouth in said Province on Thursday the 21st of May 1765, being the Third Tuesday in said month.

NOTE BY THE EDITOR.

The *Journal of the House* which follows, to January 27th, 1770, is copied from a MS. volume in the Secretary's office, labelled "JOURNAL OF THE HOUSE, 1765–1770." The reader is notified that the editor has copied in full only such portions of the original Journal as relate to matters of general and public interest, including all messages and documents in the Secretary's office in the same period; while matters of mere local and private interest are presented in an abridged form and printed in smaller type, marked (*a*), (*b*), etc. The abridged matter includes all references to the *Journal of the Council and Assembly* in the same period.

Tuesday, May 21st 1765.

The members met agreeable to the Kings Writt. Not a sufficient number to make a house.

Adjourned till Wednesday, May 22d, 1765 (*a*) P. M.

(*a*) Of his Majesty's Council, there were

Present

His Excellency Benning Wentworth, Esq. Governor, &c.

Theodore Atkinson	Esqs.	James Nevin
Daniel Warner		Theodore Atkinson, jun.
Joseph Newmarch		Nath[l] Barrell

A message being sent to the Board that there was a full House, Mr. Secretary, the Hon[ble] Joseph Newmarch & James Nevin, Esq. Came down & administered the oaths appointed in stead of the oaths of supremacy & allegiance, to all the members present Twenty-six in number, as sett down for this Day & saw them subscribe the Declaration & then Retired.

Names of the persons returned by the sheriff on the King's Writt for the choice of a New Assembly are as follows: viz. *Jour. C. & Assm.*

Portsm[o]	Henry Sherburne Esq.	
	Mr. Andrew Clarkson	
	Mr. Jacob Sheaff.	
Dover	Capt. Howard Henderson	
	Capt. Tho[s] W[k] Waldron	
Hampton	Jona. Moulton	Esqs.
	Christoph[r] Toppan	

Exeter	Peter Gilman, Esq. Capt. Jno. Giddings
New Castle & Rye,	Thomas Bell, Esq. Richard Jennes 3d Esq.
Kingston	Josiah Bartlett, Esq.
Hampton Falls,	Meshech Weare, Esq.
Newington,	Richd Downing, Esq.
Stratham,	Andrew Wiggin, Esq.
Londonderry,	Coll. Saml Barr, Esq.
Durham,	Joseph Smith, Esq.
Greenland,	Clement March, Esq.
New Market,	Lieut. John Burley.
South Hampton,	Capt. Eliphz Merrill.
Chester,	Mr. John Webster.
Plastow & Hampstead,	Capt. Jonz Carleton.
Salem & Pelham,	Maj. Jos: Wright.
Monson & Merrimk,	Capt. John Chamberlain.
Hollis,	John Hale, Esq.
Somersworth,	John Wentworth, Esq.
Nottingham West & Lytchfield	James Underwood, Esq.
Amherst & Bedford,	John Goffe, Esq.
Rochester,	James Knowles.
Kensington,	Capt. Ezekiel Worthen,
Barrington,	Mr. Jonathan Church.

Mr. Secretary came down & said he was directed by his Excellency to inform the members that he Required them to proceed to the choice of a Speaker & present him for his allowance.

The members Immediately proceeded to the choice of a Speaker and made choice of Henry Sherburne Esq. for their speaker by a unanimous vote, who was accordingly conducted to the chair by the Honble Meshech Weare Esq. and Andrew Clarkson, & after making a short pathetic speech sat down. After which the speaker Rose & said 'twas usual to proceed to the choice of a clerk.

Mr. Speaker put up Andrew Clarkson their old Clerk.

Voted Andrew Clarkson Clerk of this present house by a unanimous vote.

[p. 2.] The Clerk was sworn to the faithfull discharge of his office by Richard Jennes, the third, Esq.

Voted That Colo Weare, Colo March & Capt Thos Wk Waldron wait on his Excelly & inform him that the house had made choice of the Honble Hy Sherburne Esq. for their Speaker, who immediately waited on his Excellency.

Adjourned.

Thursday May 23d 1765.

Mr. Secretary came down & said that his Excellency approved of the choice of a Speaker & that the Speaker with the rest of the members give their attendance at the Council Board.

The Speaker with the other members Immediately attended where his Excellency's speech to both Houses was Read to them Dated y^e^ 21^st^ Instant.

Mr. Speaker with the house being Returned to their room,

Ordered, That Col^o^ John Goffe, Esq. go up to the Board & desire that a Copy of his Excellency's Speech may be laid before the House.

Mr. Sec^y^ Brot the same down which was read & a copy on file.

Governor's Speech.

[Copied from MS. Gov^rs^ Mess^s^, Vol. III., p. 273.]

Gentlemen of the Council and of the Assembly—

It was my intention to meet you in General Assembly after the necessary business of the Spring was over, but the uncertain state of the season, I am apprehensive has prevented it.

I shall therefore recommend to your diligence the effecting, only, such things as are of absolute necessity for the well being of the Government that I may give you a recess to a day more agreeable.

I have, since the dissolution of the late Assembly received his Majestys determination of the boundarys between this Province & New York, which I shall direct the Secretary to lay before you.

Mr. Speaker and Gentlemen of the Assembly —

It will give me great pleasure to meet this Assembly sincerely disposed to pursue with firmness & attention those things that are most essential to the real Interest & prosperity of the Province, and under this head, I must be allowed to point out to you the further consideration of his late Majesty's Instruction relative to the appointment of Salarys for the Chief Justice & other Justices of his Majesty's Superiour Court of Judicature, not doubting but that this Assembly will pay a ready obedience thereunto, in all its parts, notwithstanding former Assemblys have so lightly passed over it. The Secretary will furnish the house with the original Instruction, if it is not in your records.

The state of his Majesty's Fort William and Mary, is another object worthy your coolest deliberation, & when you have duly weighed of what consequence it is to the Government to make annual Provision for that fortress I persuade myself you will make a grant consistant with the abilitys of the people.

The Treasurer has my directions to have his accounts in readiness, when the House is prepared to inspect them, after which I am hopeing you will make the necessary provision for the service of the current year.

Gentlemen of the Council & of the Assembly—

Relying on a good Harmony's subsisting in the Legislature, I shall have occasion only to repeat my usual assurances, in contributing everything in my power to the dispatch of the public business.

B. WENTWORTH.

Council Chamber in Portsmouth
May 21, 1765.

Order of the King in Council, determining the boundary between the Provinces of New Hampshire & New York.

[Copied from Vermont State Papers in N. H. State Library, compiled by Wm. Slade, jun., Middlebury, 1823, p. 19.]

At the Court at St. James's the 20th *day of July*, 1764.

Present

THE KING'S MOST EXCELLENT MAJESTY,

Lord Howard	Earl of Hillsborough,
Earl of Sandwich	Wm. Vice Chamberlain
Earl of Halifax	Gilbert Elliott, Esq.
Earl of Porvis	James Oswald, Esq.
Earl of Harcourt	

Whereas there was this day read at the Board a report made by the Right Honorable the Lords of the Committee of Council for plantation affairs, dated the 17th of this Instant, upon considering a representation from the Lords Commissioners for trade and plantations, relative to the disputes that have, some years, subsisted between the Provinces of New Hampshire and New York, concerning the boundary line between those Provinces: His Majesty, taking the same into consideration, was pleased, with the advice of his Privy Council, to approve of what is therein proposed, and doth accordingly, hereby order and declare the western banks of the river Connecticut, from where it enters the Province of the Massachusetts Bay, as far north as the forty-fifth degree of northern latitude *to be* the boundary line between the said two Provinces of New Hampshire and New York. Wherefore, the respective Governors and Commander-in-Chief of his Majesty's said Provinces of New Hampshire and New York for the time being, and all others whom it may concern, are to take notice of his Majestys pleasure, hereby signified, and govern themselves accordingly.

W. Blair.

Voted That the Honble Henry Sherburne, Meshech Weare, Peter Gilman Esq. & Capt. Thos Wk Waldron be desired to prepare an answer to his Excellencys speech to both houses of ye 21st Inst. and lay the same before the house as soon as may be.

Voted, That Geo: Jaffrey Esq. be order'd & he hereby is order'd to lay his accts as Treasurer of the province before the house as soon as may be, that the state of the several funds may be more fully known.

Voted, That the Revd Doct Samuel Langdon & the Revd Mr. Saml Haven be desired to attend upon the house alternately & pray with them & Mr. Sheafe and Mr. Clarkson are desired to inform them thereof.

The following rules being read,

Voted, That they be the Rules of this House being Ten Articles —

1st That whosoever shall by any misbehaviour in speech or action justly offend any of the members of the house, shall for the first offence be admonished, for the second fined as the house shall see meet.

2dly That no member speak twice untill every member have liberty to speak once if he please.

3ly That every member direct his speech to the Speaker & not to one another, & when any member has a mind to speak to any case, that he stand up & ask leave of the Speaker to speak.

4ly That whenever it happens that there are as many voters on one side of the question as on the other, without the Speaker, that then the speaker make the casting vote.

[P. 3.] 5ly That if the Speaker be absent, the house may chuse a Speaker pro Tempe, that the affairs of the house may be carried on without stop.

6ly That if any member after being qualified & enter'd shall absent himself at any time, without leave from the house, he shall be liable to be fined at the discretion of the house.

7thly That if any memberof this house shall be by the major part of this house tho't unfit & not qualified for said place, it shall be in their power to dismiss such person, giving notice to the Town or precinct where he belongs to chuse another to fill up such vacancy.

8thly That every Bill to be passed in this house, be read three times & that there be two adjournments of this house before any bill be passed into an Act.

9thly That the speaker with fifteen members be a house to do Business.

10th That no vote that is passed in this house shall be Reconsidered by a less number.

A motion was made that the Eleventh Article in the Rules of former Assemblys might be read, & voted to be one of the Rules of this house, which was read and is as follows: viz.

11th That the house be seated & that no member speak out of his place &.

The House took the matter under consideration and after several arguments thereon, the House seemed to be divided in their opinion about said article. Ordered, that the said 11th article lay for consideration. (*a*) Adjourned.

(*a*) Oaths were administered to Col. John Goffe, member from Amherst & Bedford, and to Doct John Hale Esq. member from Hollis.

Friday May 24th 1765.

The Clerk sent to Council Board to Inquire after the several Acts & Resolves of the late Assembly not concurred, & those concurred and not assented to, &c [which were sent down.]

[P. 4.] A motion being made that the Journals of the present house of Representatives be printed at the charge of the Governmt & seconded, & after sundry Debates thereon

Order'd That it lay for further consideration.

[P. 5.] The Committee to prepare an answer to his Excellency's speech to both houses of the 21st Inst. & lay the same before the house as soon as may be, presented the same this afternoon, which was read, and

Order'd to be Ingrossed. The Clerk Immediately Ingrossed the same which was again Read & is as follows, viz.

May it please your Excellency

We the Representatives of his Majesty's most dutiful subjects of his Loyal Province of New Hampshire in General Assembly convened, Humbly beg leave to thank your Excellency for your speech to both houses of the 21st

Inst. and to assure your Excellency that we shall with the utmost dispatch proceed to the effecting of those things which appear to be of the greatest importance to the welfare of the Government & your Excellency's intentions to order the Secy to lay his Majesty's determination of the boundarys between this Province & New York before this House we greatfully Resent.

May it please your Excellency—

With the highest confidence we can assure you that this assembly is sincerely disposed to pursue with firmness & attention those things that are most Essential to the Real Interest & prosperity of the Province which we trust your Excellency will have the pleasure of observing.

On Examining the Transaction of former Houses in the year 1754 & since relative to his late Majesty's Instructions for the appointment of salarys for the Chief Justice & other Justices of his Majesty's Superior Court of Judicature we don't find that matter lightly passed over, but on the contrary many Resolves from time to time passed & sent up in obedience thereto.

The Instruction is not on the files or Records of this House. If your Excellency should think proper to order it to be laid before us, we shall take it under consideration & Act what appears to be duty thereon.

The Respectable state of Fort Wm. & Mary is of importance to the Government, & when your Excellency may think proper to order a State thereof to be laid before this House, we shall make such provision therefor as may [p. 6.] appear to be for the Interest of his Majesty's subjects consistant with their abilities, and as the most important affairs of the Governmt depend on the settlemt of the Treasurers accts. We hope your Excellency will [cause] them immediately to be laid before us, that we may with chearfulness & dispatch proceed to make the necessary provison for the current year.

We greatfully observe your Excellency's assurances of contributing everything in your power to the dispatch of the public business & shall do our utmost to promote that good harmony between the legislative powers, which is Essential to the prosperity & true happiness of our Constituents.

Voted That the preceeding be sent in answer to his Excellency's Messa to both Houses of the 21st Instant. Signed, H. S. S.

Saturday May 25th 1765.

Voted, That the Honble Henry Sherburne, Meshech Weare Esq. Capt. Thomr Wk Waldron & Andrew Clarkson be a Committee of this house to Joyn with such as may be appointed by the Honble Council to Examine & adjust the Treasurer's accts & make Report to the General Assembly as soon as may be. Sent up by the Clerk.

[p. 7.] The Bill for setting off a part of the Town of Bow together with some Lands adjoining thereto with the Inhabitants thereon & making them a Parish Invests them with such priviledges and Imunities as Towns in this Province have & do Enjoy, having been read three times.

Voted That it pass to be Enacted.(1) S. H. S. S.

Sent up by Mr. Jennes the 3d & Capt. Henderson.

The Bill for granting Liberty to sundry persons Inhabitants of Rye & Portsmouth to carry on a Lottery to raise money to open & make a good passable High way on a straiter course & much

(1) See this Bill, as passed, in Bouton's History of Concord, pp. 747-8.—Ed.

nearer from one of those places to the other than any heretofore used, having been read three times,

Voted That it pass to be Enacted. S. H. S. S.

Sent up by Messrs Jennes & Henderson.

[P. 8] Wednesday May 29th 1765.

John Wentworth Esq. coming into the house Informed that he was summoned to attend this house as a member by a proper officer. [Mr. Wentworth from Somersworth was sworn and qualified, by Hon. Nath[l] Barrell of the Council.]

Thursday, May 30th 1765.

Whereas there is now Extant of the Sterling Bills Emitted on the Credit of this Province in the years 1762 & 1763 the sum of Ten thousand pounds which has at present little if any circulation, & Whereas the Gen[l] Assembly by a Resolve of the 8th of Jan[y] last ordered that the money belonging to this province in the publick stocks in London should be sold as soon as conven-
[P. 9.] iently might be and improved for the sinking of the remainder of the sterling & other Bills of Credit then circulating: It is now further

Resolved & voted That the agents of this Province at the Court of Great Britain be and they are hereby fully impowered and directed to sell the same & the Committee appointed by the several acts to draw bills on the agents are hereby impowered & directed to cause the said sterling Bills Emitted in the aforesaid years 1762 & 1763 to be Redeemed therewith & paid into the Treasury as soon as may be, by drawing bills of Exchange on the agents therefor or ordering silver & gold into the Treasury thereby for the exchanging said Bills as may be most for the publick benefit. Sent up by Major Wright & John Hale, Esq. [Concurred.]

[P. 11.] Wednesday June 5th 1765, P. M.

Mr. Sec[y] came down & said that Capt. John Chamberlin who was Returned a member to set in General Assembly for the towns of Merrimack & Monson, had taken the oaths appointed, & was Quallified to take his seat in the house, & accordingly he was admitted.

Col[o] Barr & Clarkson sent to the Board to Inquire if the Acts for stateing the Interest of mony & for regulating of our monys &c. were concurred or not, and said they had deliver'd the message.

Mr. Secy came down & Informed the house that the acts that Colo Barr & Mr. Clarkson Inquired after at the Board lay before his Excellency, as the Council chused to confer with him thereon before they concurr'd them and that the Council expected them every minute. Likewise he Bro't down the King's Instructions relative to sallarys for the Chief Justice and other Justices of his Majesty's Superiour Court of Judicature which was read.

[p. 12.] Thursday June 6th 1765.

The petition of Captain William Gregg of Londonderry praying for a certain high way as therein mentioned being read, as by the Records this being the day appointed for hearing,

The parties appeared & after being fully heard thereon were ordered to withdraw.

The House took the matter under consideration and

Voted, That the prayer thereof be granted and that Mr. John Webster, Josiah Bartlett & Samuel Emerson Esqs be a committee to lay out said high way and make Report as soon as may be to the General Assembly.

Sent up for concurrence by the clerk. [Concurred.]

Friday June 7th 1765.

The Resolve & vote of this house relative to the granting of the prayer of a Petition of Samuel Gerrish & others, which passed this house the 29th ultimo, being read, which was as follows, viz.

Upon reading the petition of Samuel Gerrish, John Wood & Elizabeth his wife, Moses Carr and Mary his wife Representing that they the said Samuel, Elizabeth & Mary are heirs to the estate of Paul Gerrish Late of Dover in said Province, Esq. deceased Intestate, which was Not yet fully settled but in an action lately bro't by one of them for his part, all the parties concerned agreed to a general reference to be made by Rule of Court and to have the whole Estate settled in an Equitable manner by Referrees Named in the rule of Court, that the Referrees undertook the business but before Report was made one of the heirs, viz. Paul Gerrish died, which prevented the finishing the said settlement. That the affair is very perplexed and the settlement of said Estate difficult by reason of the different parts & value of what several of the heirs had received, so that they were sensible that it could not be Equitably done but by some such Method as they [p. 13.] were now in, and therefore they prayed the said Referrees might be authorized to proceed notwithstanding the death aforesaid, as it would be for the benefit of the heirs of the deceas'd as

well as the Rest and the Court authorized to enter Judgment on the report of the said referrees and confirm and establish the whole & award Execution if necessary as fully to all intents as if no such court had happened and all parties were now living: Which appearing to be beneficial to all parties concerned in said Estate and wou'd prevent lawsuits, and as it appears the referrees had fully heard all parties concerned before the said decease and had considered the allegations & pleas of the said Paul Gerrish as well as the Rest:—Therefore Resolved & Voted That the referrees in the case aforesaid be and hereby are fully authorized and Enabled to finish whatever they have yet to do in making the said settlement and make their Report thereon as soon as may be and the Court to which said Report is returnable is hereby authorized to receive said Report, Enter Judgment thereon and award Execution and do any other act matter or thing touching the premises as fully to all intents as if all the parties concerned in the said Refference at first were now Living, the decease of the said Paul Gerrish son of said intestate Notwithstanding. (*a*)

S. H. S. S.

(*a*) Jour. C. & Assem. June 6, 1765. The petition of Samuel Gerrish et alii representing that they [were] heirs to Paul Gerrish who died about 20 years last Past Intestate, that the said Estate was carryed into the Law for settlement, where it was left to a refference, that before the award was bro't in (which is not yet finished) Paul Gerrish the son of the above Paul deceased Died which by the laws of the Province set the whole of the Proceedings afloat—Therefore they Pray that an Act may be made to Enable the said referrees to bring in their award as if the said Paul was still living. Read & sent down.

Tuesday June 11th 1765.

[P. 14.] Mr. Secy Brot down Edward Holyoke President of Harvard College Letter directed to the three branches of Governmt Returning the hearty thanks of the Presidt & Fellows of Harvard College in Cambridge for the assistance generously granted them towards the retrieving the heavy loss they lately sustained in ye Entire distruction of their public Library & Philosophical apparatus by fire, signed Edward Holyoke Presidt in the name of the Prest & Fellows of Harvard College, which was Read—the original Letter is on file in the Secys office (1).

Wednesday June 12th 1765.

His late Majestys Instruction relative to the granting a salary to the Chief Justice & other Justices of his Majestys Superiour Court being read

(1) This letter cannot now be found.—Ed.

The house immediately took the matter under consideration, and after mature deliberation & consideration thereon,

Mr. Speaker put the Question whether the house would grant any Salary to the Chief Justice and other Justices of his Majestys Supr Court, & it passed in the negative: — After which

Mr. Speaker put the Question whether the house would reimburse moneys that might appear to have been paid the Chief Jus-
[p. 15.] tice in consequence of his accepting said office for past services, and it passed in the negative.

Voted That Colo Barr & Colo Goffe wait on his Excellency and inform him that the house had taken his late Majestys Instruction for granting a salary to the Chief Justice & others his Majestys Justices of the Superiour Court under consideration, & that the house could not see their way clear to burthen their constituents therewith.

The Treasurers acct being read & Committees Report thereon, which is as follows, viz.

Province of
New Hampr

Portsmouth June 5th 1765.

We being a Committee appointed by the General Assembly to examine the Treasrs accts have accordingly examined the acct of George Jaffrey Esq. Treasurer of said Province from the last settlemt which was on the eight day of May 1764 up to this Date wherein he makes a Ballance due to the Province of six hundred forty-three pounds, nineteen shillings & one farthing sterling money in gold & silver, & a Ballance of one hundred thirty nine pounds nineteen shillings & half penny sterling money on the Credit of this Governmt, as well a Ballance of seven hundred Forty four pounds seventeen shillings & five pence farthing New Tenor due to the Province, & find the same Right cast and well vouched Except for large sums of Excise moneys due for the years 1762 & 1763 not as yet accounted for & there is still more money to be accounted for by way of Bonds. Likewise the said Treasurer has not accounted for the outstandg Taxes as Rendered on this sides, viz. for
[p. 16.] Four hundred sixty nine pounds seven shillings & sixpence sterg of sterling Emissions, also for four thousand two hundred Fifty three pounds six shillgs & nine pence New Tenor which after the several Ballances ought & should be the next Entry in his next acct Currt. All which is humbly submitted.

Theodore Atkinson
Mark Hg Wentworth
Jacob Sheafe
A. Clarkson
} *Committee.*

Ballance due
£643: 19: 0 1-2 Str. gold & silver
139: 19: 0 1-2 Strg Emissions
744: 17: 5 1-4 New Tenor

The above Report & the accts therein referred to being read,

Voted and Resolved that the said Treasurer's accts & the above Report thereon be Received & allowed, and that the Treasurer not only charge himself with the respective Ballances mentioned therein, but with the several sums therein said to be outstanding, as pr his acct Rendered of outstanding Taxes In his next acct to be Rendered as Treasurer of said Province, and that he render his next acc agreeable thereto.

Sent up for concurrence. S. H. S. S.

Thursday June 13th 1765 P. M.

[P. 17.] Voted That Colº Weare, Colº Gilman Esqs and Captain Thomas Wᵏ Waldron be a [Committee] of this house to examine & see what Laws of a public nature would be beneficial to be passed & to see if the preamble in sundry acts now before the house are agreeable to act of Parliament. Likewise to consult & consider of any other Acts that may be beneficial to be passed &c. and make Report as soon as may be.

[P. 18.] On a motion being made, seconded & thirded that the Journal of the present House of Representatives should be printed —

The House took the same under consideration and

Voted, That the Journal of this House be printed at the charge of the Province, one for his Excellency, one for each member of the Board, one for each of the members of the Assembly, & one for each Town that sends Representatives making in the whole seventy-three & Read & Revoted the 28th day.

Sent up by—

May it please your Excellency

In obedience to your Excellency's Recommendation in your Speech at the opening of the present Assembly to be diligent in the effecting only such things as are of absolute necessity for the well being of the Governmt, We immediately took those things under consideration, and upon mature deliberation we found that the establishing of something as a medium to discharge Debts and for Levying Taxes for discharging the contingent charges of the Government for the future, the Regulating Interest and sinking as soon as possible our Bills of Credit were absolutely necessary for this End, and accordingly past Acts and a Resolve for this purpose, which have been for some time laid before your Excellency for your consideration, to which we pray your Excellency's assent: And are fully convinced that such is our present situation that as to any method we can think of, no Provision can be made for paying the necessary charge for the support of Government unless your Excellency can assent to the said Act and Resolve, which we pray may be as soon as Possible, as the Principal business of the session now waits for your Excellency's Determination.

Voted that the preceding message be sent to his Excellency.

S. H. S. S.

Sent up by Colº Moulton & Josiah Bartlett, Esqᵉ.

Saturday June 15th 1765.

Colº Moulton & Josiah Bartlett Esqᵉ who waited on his Excellency this mornᵍ with the Messᵃ voted last evening, Returned & said they had delivered yᵉ same, and said that his Excellʸ Intended to keep the house sitting next week & desired there might be a full house, — 'twas immediately ordered that the Clerk agreeable thereto write to all the absent members to give their attendance on the General Assembly the beginning of the week, and the Clerk agreeable thereto wrote to all the absent members to give their attendance the beginning of the week.

Sundry Acts of Parliament read in order to find out what of [p. 19] them might be adopted as Laws in the Province agreeable to its Constitution. Adjourned.

Tuesday June 18th 1765.

Mr. Secy Bro't down his Excellency's Messa to the Assembly of this date Relative to granting a salary to the Chief Justice & others his Majesty's Justices of his Majesty's Superiour Court of Judicature, wch is on file. Likewise Bro't down the petition of sundrys of the Inhabitants &c. setting forth the necessity of a Light house at some suitable place near the mouth of Piscataqua harbour (1) & humbly Requesting that said affair may be taken under consideration &c.

Governor's Message.

[Copied from MS. Govrs Messa Vol. III., p. 285.]

Mr. Speaker and Gentlemen of the Assembly —

Upon hearing from divers quarters that it has been determined by a great majority in this Assembly not to fix a salary on the Chief Justice and other Justices of his Majestys Superior Court of Judicature agreeable to his late Majestys Instruction, I was determined to press you to reconsider the Instruction again, an Instruction calculated so much for the ease and benefit of the subject, by puting it in your power to Judge of the ability of the people you represent, & when you have so great an indulgence put into your hands, you will be left without the lest excuse, if you neglect it; For the Instruction you may depend will be kept alive until the Kings pleasure is obeyed & his gracious purposes fully answered.

I must therefore refer you to consider whether it will not be more for the Interest of the Government to Embrace the present advantage, than to have the work done for you in another place & at a much greater expence.

If I remember rightly the present Assembly is the third Assembly that I have laid this Instruction before, which is an Indulgence you could not well expect, and if you will take my advice, comply with the Instruction chearfully & readily, & your constituants will be the gainers, but if you do not, I think I have washed my hands clear from all future blame or censure.

B. Wentworth.

Council Chamber in
Portsmouth June 18th 1765.

Wednesday June 19th 1765.

The petition of sundrys of the Inhabitants of Portsmouth &c. setting forth the necessity of a Light house at some suitable place near the mouth of Piscataqua Harbour &c. & humbly requesting that said affair may be taken under consideration &c. Being again read

Ordered That the petitioners have leave by Messrs John Sher-

(1) This petition cannot now be found.—Ed.

burne, Jon[a] Warner, Daniel Rindge, Sam[l] Cutts, Thomas Wentworth, Gregory Prescott, Titus Salter & George Janverrin to take a view of Odiorne's Point & any other place which they may think more suitable to Erect a Light house on, that they prepare a plan of the Building, make an Estimate of the cost thereof, & the annual Expense of supporting it, consider what materials will be most suitable for such a building & make Report to the General Assembly as soon as may be. (*a*)

Sent up for concurrence by Capt. Giddings [Concurred]

(*a*) Joun. of C. & Assem. June 18th 1765. The petition of sundry the Inhabitants of Portsm[o] and Parts adjacent Praying that the money laying in the Treasury for the Interest of the £25000 loan & appointed to the Building a Light house may be apply'd for that purpose, and that the Depretiation of s[d] money may be made good &c. read, recommended & sent down.

[P. 20.] P. M.

His Excelly[s] mess[a] to the Assembly of the 18th Instant was again read and under consideration &c.

A letter from the Speaker of the General Assembly of the Mass[a] to the Speaker of this present house Relative to a Committee from each of the Colonies & Burgesses to meet at the City of New York to consult together on the present circumstances of the Colonies &c. being read, and under consideration: Adjourned.

Thursday June 20th 1765.

His Excellencys Mess[a] of the 18th Instant wherein he says "I "was determined to press you to reconsider the Instruction again "Relative to granting a salary to the Chief Justice & others the "Justices of his Majesties Superior Court," being again read.

The house took the matter under consideration & after many Debates thereon

Mr. Speaker put it to vote whether the vote that pass'd the house the 12th Instant should be Reconsidered and

Voted That said vote of the 12th Instant be reconsidered.

The late Kings Instruction relative to grant[s] Salarys to y[e] Justices &c. being read and after many argum[ts] thereon

Mr. Speaker put the Question whether the house would grant a Salary to the Chief Justice & other his Majesties Justices of the Superiour Court of Judica[te] & it pass'd in the Negative.

On a motion being made for appointing a Com[tee] to prepare an [P. 21.] answer to his Excellencys Mess[a] of y[e] 18th Instant, w[ch] being seconded & third'd,

Voted, That the Hon[ble] Henry Sherburne Meshech Weare Esq[r] Col[o] Peter Gilman Esq. and Capt. Tho[s] W[k] Waldron be a Committee of this house to prepare an answer to his Excellencys Mess[a] of the 18th Curr[t] & lay the same before the house as soon as may be.

The Committee immediately attended that Business.

The Committee to prepare an Answer to his Excellencys Messᵃ of the 18ᵗʰ Instant Broʼt the same into the house, which was read.

Mr. Speaker then put it to vote whether the said Answer should be Ingross'd in order to be sent to his Excellency, and it pass'd in yᵉ Affirmative.

P. M.

A Letter from Samuel White (1) Speaker of the General Court of the Massᵃ Bay to the Speaker of this present house recommending a Committee to be appointed to joyn with a Committee of that house & others of the several Governmᵗˢ on the Continant to repair to New York by the first Tuesday of Octob next to consult together on the present circumstances of the Colonies & the difficulties to which they are and must be reduced by the operation of the Acts of Parliament for levying Duties & Taxes on the Colonies &c. &c. Being Read.

The House took the matter under consideration, and

Voted That the Honᵇˡᵉ Colᵒ Weare & Capt. Thomas Wᵐ Waldron be a Committee of this House to prepare an answer thereto & lay the same before the house as soon as may be.

The Answer to his Excellency's Messᵃ of the 18ᵗʰ Inst prepared by the Committee in the forenoon. & voted to be Ingroced, accordingly was, and after being again Read which was as follows, viz.

May it please your Excellency —

From your Excellency's Assurance in your Speech at the opening this Session & our own disposition we depended on great harmony in the Legislature, and in our Answer thereto assured your Excellency amongst other things that if you should order his late Majesties Instruction before us that we would Act what appeared to be duty thereon & accordingly did so. But last week hearing from divers persons that you Expected our determination in that matter to be sent you previous to your considering some Bills before your Excellency, on wᶜʰ the Weal of the Province Depends: We a new turned [p. 22.] our attention thereto & came to such resolution as your Excellency is pleased to mention & sent some members to wait on your Excellency therewith & so by our records we find three if no more preceeding Assemblys have said on the matter & on your Excellency's requisition we have reconsider'd the Instruction & have no doubt but his late Majesty aimed thereby at the Ease and Benefit of the subject whatever the aims of those were who made the representation on which it was founded, But

May it please your Excellency—

If a solemn Proclamation in full life & vigour of his present Majesty against unjust exaction in North America is unattended to in any of its parts, If the Courts are all still held in Portsmᵒ & if yᵉ necessary expense of peoples travel attending the Superiour & other Courts there exclusive of the fees paid, is often more than the whole value of the thing Necessarily attended about we think it Duty to say as before that we cannot charge the Governmᵗ with such salary. But that it will be for the interest of our Constituents to give salary to the Justices of the Supᵗ Court equal to their time fatigue & trouble, where the Law is administered in sueᵗ commodious Places of the Governmᵗ for the benefit of the subject as shall be agreed on by the Legislature we are clear in & shall be ready to do.

(1) This letter cannot now be found.—Ed.

To promote the general good of the Province under your Excellency's administration is what we sincerely aim at & Doubt not but we shall be able to justify our conduct to the satisfaction of our Constituents & so as to have his Majestys gracious approbation should our case be fully known to him; & surely we have reason to expect your Excellencys care for the welfare of this people which you so tenderly express in the present case will be extended to those other things essential to the well being of the Province which heretofore have been often Represented to your Excellency & now lay before you, & if these things cannot be obtained we can proceed no further in making Provision for service Notwithstanding our ready chearfull disposition thereto, since our present situation puts it out of our power.

Voted that the preceeding be sent to his Excellency in answer to his Excelly's Messᵉ to the House of the 18th Instant.

S. H. S. S.

Friday June 21st 1765.

Richᵈ Jennes the 3ᵈ Esq. Informed the house that Capt. Samˡ Gerrish with Samˡ Hobert Esq. desired to be admitted into the house to enforce his petition & the accᵗˢ thereto referred to for supplying soldiers with cloaths, &c.

They accordingly were admitted, & after being fully heard thereon were ordered to withdraw.

The house took the matter under consideration & order'd to lay till the afternoon.

The Committee to wait on his Excellency yesterday with yᵉ house's answer to his Excelly's Messᵃ of the 18th Inst. Inform'd the house this morning that his Excell'y after reading the same said that he had done all he could thereon.

[p. 23.] This forenoon was spent chiefly in waiting to hear from his Excellency.

On the petition of Samˡ Gerrish praying that his accᵗ for cloathˢ of sundry soldiers in the year 1761, might be allowed &c.

Voted. That there be allowed & paid to Samˡ Gerrish or his order the sum of thirteen Pounds sterling or seventeen Pounds 6-8 Proclamation money out of money in yᵉ Treasury, in full for said petition & the several Accᵗˢ thereto annexed. [Concurred.]

Saturday June 22ᵈ 1765.

No answer from his Excellency to the house's Messᵃ to him last Thursday. Adjourned.

[p. 24.] Monday June 24th 1765. P. M.

Still in waiting to hear his Excellency's determination Relative to the Bill for establishing the moneys within this Province & for making foreign Coin a Tender in Law &c. Likewise the Bill against Exorbitant Interest &c. as therein Declared.

Tuesday June 25th 1765. P. M.

The house still sitting in an *in*active state no Messª from yᵉ Board nor his Excellency Relative to the two important Acts now before him, one for yᵉ Establishᵍ the moneys, the other against taking exorbitant Interest.

The house being very uneasy in sitting so long spending their time to little or no purpose, & the great Expence 'twas to their constituants, took the matter under serious consideration & came to the following resolution, That a written Messª be sent to his Excellency Immediately setting forth the present situation we were in, &c

Order'd That a Messª be Immediately prepared agreable thereto & lay the same before the house as soon as may be.

An *Answer!* was Immediately prepared & laid before the house, which was read, &

Voted That said Messª be Imediately Engroced. It accordingly was, and being read again, which was as follows, viz.

[P. 25.] *May it please your Excellency —*

By the Journals of the late Assembly it appears that on the 25th day of Janʸ past two bills of great Importance passed in that house & were sent up to the Honᵇˡᵉ Board where they were concurred & laid before your Excellency, till on the 8th day of March that Assembly was Dissolved.

The present House which was convened yᵉ 21ˢᵗ of May as soon as qualified to act sent a Messª to the Honᵇˡᵉ Board desirᵍ that such bills & Resolves as were sent up in the last session of the late Assembly & had not obtained your Excellency's consent might be sent down.

The two bills above mentioned, viz. A bill for establishing the value of money, and a bill against exorbitant Interest with Twenty two other public & private Bills were soon sent down; the house Immediately took under consideration these very Important Bills for Establishing the value of money & against exorbitant Interest, & on the 25th day of May passed and sent them up to the Honᵇˡᵉ Board. Since which Eighteen other bills have been passed in the house and sent up besides some Resolves & votes of Importance & upon Enquiry at the Honᵇˡᵉ Board we can't find that any of them have yet obtained your Excellencys assent.

May it please your Excellency

The remaining business of the session depends Intirely on the two Bills just mentioned & the house cannot with any propriety proceed to the making a supply Bill or any grant for the Discharge of Provincial debts till they have your Excellency's determination thereon which we have been expecting three weeks past to the great Expence of the Governmᵗ, not having had any matters of consequence before us but what Intirely depends on those Bills.

We therefore earnestly pray that your Excellency will not keep us any longer in such an inactive state but either be pleased to pass those Bills which are of such importance to the Honour of the Crown & true Interest of the subjects or permit us to retire and look after our private affairs till your Excellency may be disposed to permit us to proceed on the necessary business of the province in a way consistant with reason & Dignity of the British Constitution.

Voted, That the preceding Messª be sent to his Excellency.
S. H. S. S.

Sent up Colᵒ Goffe & Capt. Walker.

Wednesday June 26th 1765.

Mr. Secy Brot Down his Excellencys Messa to the House in answer to their Messa of yesterday & Retired. The house took the same under consideration & after many debates thereon, order to lay till the afternoon for further consideration (and the same was Read & is on file.)

Governor's Message.

[Copied from MS. Govrs Messa, Vol. III., p. 287.]

Mr. Speaker & Gentlemen of the Assembly —

If difficulties have been started in your house without the lest foundation in reason or in Justice, & from thence prejudices have arisen, it is your duty to remove them.

I have therefore only to observe that as your message of the 25th Instant pr Colonel Goffe & Capt Worthen containing nothing new, I shall only refer you to the two acts therein mentioned, & say, that as soon as the Act to enable the Treasurer to Issue his Warrants for the supply you intend to make & the grants come properly up to me, you may rely I shall consent to the whole or reject the whole that depends on these two acts.

B. Wentworth.

Council Chamber in
Portsmo June 26th 1765.

P. M.

His Excellency's Messa of this date to the house was again Read.

Voted That Colo Goffe, Colo Barr & Josiah Bartlett Esqs all be a Committee to wait on his Excellency & to desire and pray him to give his Assent to the Bills now before him for upwards of three weeks last past: viz.

A Bill for Establishing the value of money, and a Bill against exorbitant Interest, & that if his Excellency could not at present assent to said acts that he would be pleased to adjourn the house untill he was fully determined whether he would give his consent to said two Bills or not. Adjourned.

Thursday June 27th 1765. P. M.

The house setting still waiting his Excellencys determination Relative to the Bills for Establishing our moneys & the Bill against exorbitant Interest.

There being no Publick business or any matter of Importance before the house — Adjourned, till

Friday June 28th 1765.

The Honble Theodore Atkinson Jun. Secy came down & Inform'd the house that his Excellency had given his assent to the

Bill for establishing our moneys and the Bill against exorbitant Interest & had signed y^e^ same & Retired, & laid them on the Table & after perusal were returned by Major Downing.

[The aforesaid Bills being of special importance are here inserted: copied entire as recorded in a bound MS. volume in the Secretary's office, "Acts 1741–1765," pp. 534–538.—Ed.]

Anno Regni Regis Georgii magnæ Brittaniæ et Hiberniæ, Quinto.

An Act to restrain & Prevent the taking excessive usury.

Whereas the taking excessive Interest for the loan of money is a discouragem^t^ of trade Labour & Industry when the usurer makes as much Profit by his money only as the fair Dealer the Honest Husbandman & Ingenious Artificer can by their money Time & Labour, and is often the occasion by taking the advantage of the necessities & Exigencies of such Persons—

Then—

Be it Enacted by the Governour, Council & Assembly that no Person or Persons whomsoever from and after the first Day of August in the present year one thousand seven hundred & sixty-five upon any contract which shall be made shall take either directly or indirectly for the Loan of any money wares merchandise or any other Personal Estate whatsoever above the value of six Pounds for the use & forbearance of one hundred Pounds for a year & so after that rate for a greater or lesser sum or for a longer or shorter time and all Bonds contracts mortgages & assurances whatsoever made after the Time aforesaid for the payment of any Principal or money lent or covenanted to be lent upon or for usury whereupon or whereby there shall be reserved or taken above the rate of six Pounds in the Hundred as aforesaid, shall be utterly void & all and every Person & Persons whomsoever who shall after the Time aforesaid upon any Contract take accept & receive by way or means of any corrupt bargain loan exchange or by Covin or Deceitful Conveyance or by any other way or means whatsoever above the sum of six pounds for the forbearance of one hundred Pounds for a year & so after that rate for a greater or lesser sum or for a longer or shorter time, shall forfeit or lose for every such offence the full value of the goods & monies or other things so lent Exchanged Bargained sold or agreed, one moiety thereof to his Majesty for the use of the governm^t^ & the other moiety to him or them who shall inform & sue for the same with cost.

Provided nothing in this Act shall extend to the letting of Cattel or other usages of like nature in practice among Farmers or maritime Contracts among merch^ts^ as Bottomry or course of Exchange as hath been heretofore used.

And whereas Persons who may be Disposed to take exorbitant Interest may & often do Transact the matter in so private a manner that it is difficult to prove the Truth of the Fact —

Therefore be it Enacted that when any Person or Persons shall after the said first day of August be sued on any Bond contract mortgage or any assurance whatsoever given or made after that time for the Paym^t^ of any money goods or Personal Estate whatsoever wherein or whereby any sum is given secured or taken for the forbearing or giving Day of Paym^t^ for a longer or shorter time than in such case if (the creditor being alive) if the Debtor or Debtors shall come into Court where the cause is to be tryed and shall offer to make oath & if required by the court actually swears to the same that there is taken received or secured by such Bond Contract mortgage or assurance above the rate of six Pounds in the Hundred for the forbearance of the same whether it be money or other things for one year & so after that rate for any greater or lesser sum or for a longer or shorter time or that the Creditors have received more than after the rate of six Pounds in the Hundred for the forbearance or Loan of any sum of money or other Personal Estate or thing sued for per Annum, such Bond Contract mortgage or assurance shall be utterly void & the Debtor fully & absolutely discharged forever of & from

such Demand unless the Creditor will *Bona fide* swear that he or they have not directly or indirectly wittingly taken or received more than after the rate of six per cent pr annum for forbearance or giving Day of Payment & that by such Bond Contract mortgage or assurance there is not reserved or taken more than after the rate of six per cent pr annum for forbearance or giving Day of Payment for the money goods or things sued for or demanded.

And it is hereby ordered & Directed that the Proviso & Exceptions herein before declared shall extend & be continued & deemed to extend to this case also.

And it is hereby further Enacted that all securitys and assurances for money or other Personal Estate now subsisting in which notwithstanding a greater or higher Interest may be contracted for yet shall be reduced to six pounds pr Cent per annum Interest for money or other Personal Estate within seven months from the Passing this act and all such securities or assurances as shall not be changed but remain as originally taken & shall be sued after that time, the Court where the Judgment shall be given shall allow no more than six Pounds pr Cent on the sum expressed in the security of the same kind of money expressed & agreed for therein after the Expiration of the aforesaid seven months.

Province of New Hamp^{r}

In the house of Representatives May the 25th 1765.

This bill having been read three times,
Voted that it pass to be Enacted.

H. Sherburne, Speaker.

In Council June 7th 1765.

This bill read a third time & past to be Enacted.

Theodore Atkinson, jr. Sec^{y}.

Consented to.

B. Wentworth.

Anno Regni Regis Georgii Tertii Magnæ Brittanniæ, Franciæ et Hiberniæ Quinto.

An act for ascertaining the value of coin'd Silver & Gold & English half-pence & farthings and the rates at which they shall Pass for the future in this Province.

Whereas the Bills of Credit of this Province called New Tenor which have Passed in Private Payments in Lieu of money and in which the Judgments of the several Courts of Justice have been entered are now (nearly) all sunk and there being no Law of this Province which ascertains & fixes the value or rate at which the Silver & Gold Coin that is current & passing here shall be taken and various estimations in that case being inconvenient Therefore,

Be it Enacted by the Governor Council and Assembly That one Guinea shall be valued at Twenty-eight shillings, an English Crown at six shillings & eight pence, an half Crown at three shillings & four pence, *and English shilling & one shilling & four pence,*(1) & English six pence at eight pence, all Spanish mill'd peices of Eight or Dollars of full weight at six shillings a Peice, and the Half Quarter and other less Peices of the same coin in the same proportion — a Double Johannes or gold coin of Portugal of the value of Three pounds twelve shillings sterling & four pounds sixteen shillings, a single Johannes of the value of thirty six shillings sterling at Forty eight shillings, a moidore at thirty six shillings, a Pistole of full weight at Twenty two shillings, Three English farthings for one Penny, and English half-pence in proportion, and any Debt bargain or Contract that shall be made in this

(1) Probably this should read, an "English shilling at one shilling & four pence."—Ed.

Province from & after the first Day of August which shall be in this present year of 1765 for the sum of Twenty eight shillings shall be paid & discharged by one Guinea, & every debt & Contract of & for six shillings and eight Pence shall be paid & discharged by one such crown & so of all other sums in the same proportion which shall be discharged by the several species of Coin aforesaid at the respective rates above declared for any Debt, bargain contract or service whatsoever, and it is hereby declared to be unlawful to utter pass or take the same at any greater or higher rates.

And be it further Enacted, That any Person within this Province after the first Day of August aforesaid for the discharge of any debt contract or Bargain made after that time shall account receive take or Pay any of the several species of Coin before mentioned at any greater or higher rate than the respective sums aforesaid, every person so offending shall forfeit & pay the sum of Fifty Pounds for every such offence, one moity thereof to his majesty for the use of the government & the other moity thereof to such person or persons as shall inform or sue for the same to be recovered by Presentment of the Grand Jury (in which case the said moity shall be equally Divided among them,) or by Plaint or Information in any of his Majestys Courts of Record in this Province with full cost.

And be it further Enacted that all debts Bargains Contracts & Dues whatsoever which shall be due, agreed contracted or made from & after the said first day of August aforesaid in this Province wherein money is to be paid or is made the measure & value of the things under consideration shall be understood and are hereby declared to be at the estimate and valuation aforesaid & all accts shall be kept and regulated accordingly or they shall not be allowed or admitted to be produced in evidence for the recovery of any sum demanded in any of his Majesty's Courts of record within this Province and all Judgments of the said Courts respectively shall be Entred for Lawfull money of this Province which shall be computed & discharged by the several species of coin aforesaid or any of them at the respective rates at which they are herein fixed & valued as above declared.

And Be it further Enacted that in Paying & satisfying Debts Contracts & Bargains made before the aforesaid first day of August which may be paid by the aforesaid money at the valuation by this Act fixed but which were made & understood by the parties concerned to be in Bills of Credit, that impartial Justice may be done between Debtor & Creditors regard shall be had to the Intention of the Parties contracting as far as can be collected or appears and the Bills to be valued at their currant value in silver at the Time the Debt Bargain Contract or agreement was made and may be discharged by an equivalent in any of the said several species of coins at the rates aforesaid & in Entering Judgment in such cases in the several Courts of Justice in this Province they shall observe & comply with this rule of giving an equivalent.

Province of New Hampr } In the House of Representatives, May 25th, 1765.

This Bill having been read three times, Voted that it pass to be Enacted.

H. Sherburne, Speaker.

In Council, June 7th, 1765.

This Bill read a third time & Past to be Enacted.

T. Atkinson, junr Secy.

Consented to

B. Wentworth.

Then the house Immediately proceeded to the necessary important business of the governmt which had been intirely stagnated, waiting his Excellency's determination thereon.

[P. 27.] The Bill for granting unto his most Excellent Majesty the sum of thirteen hundred and five pounds Proclamation money,

for the ends and purposes therein mentioned & to Enable the Treasurer to Issue his warrants for the present year's Tax by the first Day of August next, having been read three times,

Voted That it pass to be Enacted.

S. H. S. S.

[P. 28.] Voted that each member of his Majesty's Council be allowed six shillings & five pence for every day of their attendance in Gen[l] Assembly from the 21[st] day of May 1765 untill the Dissolution of the present Assembly, & also two pence half penny pr mile for Traveling to and from the place of the sitting of the General Assembly every time the General Assembly is adjourned or prorogued from Saturday till Monday or for any longer time during the said Term, the same to be paid by the Treasurer upon a Certificate from the Sec[y]: also that each member of the house of Representatives be allowed the sum of six shillings for every day of their attendance in General Assembly from the 21[st] day of May 1765 untill the Dissolution of the present assembly: Alsoe two pence half penny pr mile for traveling to & from the place of the sitting of the General Assembly Every time the General Assembly has been or shall be adjourned or Prorogued from Saturday till Monday or for a longer time, Except such as live more than twenty miles distant from the place where the General Assembly sitts, who are not to be allowed travel unless when the General Assembly has been or shall be adjourn'd or prorogued for a longer time than from Saturday till Monday, but when the adjournment or prorogation hath been or shall be from Saturday till Monday instead of travel to be allowed one Day's pay & that the said members be paid by the Treasurer upon a Certificate from the Clerk of the house of Representatives.

Also that the Clerk of the house of Representatives be allowed the sum of six shillings pr day for each day of his attendance in General Assembly in that capacity (exclusive of his wages as a member of the house of Representatives) to be paid him by the Treasurer upon Certificate from the Clerk of the house of Representatives.

All these moneys to be paid out of the Treasury for support of Government.

All which allowances are to be paid in Proclamation money.(*a*)

(*a*) Votes of allowance &c passed in the house and concurred by the Council from May 21 to June 28, 1765.

Journ. C. & Assem. Allowed Governor's salary for one year £250 Proc. money.

For Rent of Gov[rs] house, £50 Proc. money.

To Theodore Atkinson jun. Sec[y] from March 1764 to 1[st] March 1765, £60.

To Wyseman Claggett, Att. Gen. £6 for one year service.

To Thom[s] Parker, Sheriff, £8 for one year.

To Rev. Dr. Sam[l] Langdon, & Rev. Sam[l] Haven, as chaplains, each £2: 10.

To Joseph Moulton, for carrying expresses, £1: 7.

To Capt. Thomas Bell for muster roll at Fort Wm. & Mary, £232: 4: 9.

To Samuel Ham for repairing boat for the Fort's use, 49*s.* 6*d.*
Also allowed, June 21st, Samuel Gerrish £17: 6: 8 for soldiers cloathing.
Ephraim Berry £6: 5: 9 for supplies to soldiers.

Voted That the Treasurer send out his warrants for collecting the Province Tax for the currant year wch may be paid in specie, agreeable to the prices fixed & sett to the following Merchn articles of the produce of this Province, viz.

			New Tenor	
	Bar Iron	at	£5: 0: 0	pr hundred
	Hemp	at	0: 3: 0	pr pound
	Indian Corn	at	0: 10: 0	pr bushel
	Rye	at	0: 10: 0	pr Do
	Peas	at	1: 0: 0	pr Do
	Winter Wheat	at	1: 5: 0	pr Do
[p. 29]	Barley	at	0: 10: 0	pr bushel
	Pork	at	0: 1: 0	pr pound
	Beef	at	0: 0: 9	pr Do
	Flax	at	0: 3: 0	pr Do
	Bees wax	at	0: 5: 0	pr Do
	Babury wax	at	0: 3: 0	pr Do
	Well tanned sole leather	at	0: 4: 0	pr Do
	Tallow	at	0: 2: 6	pr Do
	Winter & Spring Codfish	at	4: 0: 0	pr Quintle
	Pitch	at	3: 10: 0	pr Barrell
	Tar	at	2: 0: 0	pr Do
	Turpentine	at	4: 0: 0	pr Do
	White pine Joyst	at	4: 0: 0	pr thousand
	White pine Boards	at	5: 0: 0	pr Do
	White Oak two inch Plank	at	25: 0: 0	pr Do

Sent up for concurrence by Major Downing, Wright and Knowles. [Concurred.]

Whereas there are but small sums of paper Bills of Credit now circulating in the Province in proportion to the largeness of the Taxes by reason of which his Majestys good subjects may be put to great difficulty to procure any particular sort of money to pay their Taxes for prevention whereof

Resolved & Voted that the Inhabitants of this province may have liberty to pay their Taxes for the present year in silver or gold or in any bills of credit extant at their present value & the Treasurer is hereby Impowered and Required to Receive the same accordingly.

Sent up by Messrs Downing, Wright & Knowles. [Concurred.]

Voted that Jacob Sheaffe be a Committee to procure the Acts for ascertaining the value of Coin'd silver &c. & the act prohibiting exorbitant Interest printed at the charge of this Province, two hundred of each, that he be supply'd with money out of the Treasury for paying the same when his acct is allowed of by the General Assembly.

That his Excellency, the members of his Majesties Council & the members of the Assembly, the Clerks of each Court and the Clerk of each Town & parish for the use thereof, have one of each

sort & the Remainder of them be Disposed of as the Gen^{l} Assembly shall order.

Sent up by Wright, Chamberlain & Merrill. [Concurred.]

[P. 30.] P. M.

On a motion being made & seconded that the Determination of his Majesty in Council Relative to the boundary line between this Province & New York should be laid before the House,

Voted, That John Goffe Esq. wait on the Hon^{ble} Board to desire y^{e} Determination of his Majesty in Council relative to the Boundary line between this Province & that of New York should be laid before the house.

The Sec^{y} immediately brot Down his Majesties Determination afores^{d} into the house and said it must be Return'd which was Accordingly done by Captain Giddings (1).

[P. 31.] Saturday June 29th 1765.

Mr. Speaker laid before the house a letter from the Hon^{ble} Speaker of the Hon^{ble} house of Representatives of the Province of the Massachusetts Bay to the Speaker of this Assembly proposing a meeting of Committees from the several Assemblys of the British Colonies on the Continent at New York, to consider of a General United Dutifull Loyal & humble Representation of our Circumstances, & for Imploring his Majesty and the Parliament for Relief—which being Read

Resolved, That notwithstanding we are sensible such a Representation ought to be made & approve of the proposed method for obtaining thereof, yet the present situation of our government affairs will not permit us to appoint a Committee to attend such meeting but shall be ready to joyn in any Address to his Majesty & the Parliament we may be honored with the knowledge of probable to answer the proposed End.

A copy of this give the Speaker in order to forward to the Speaker of the Hon^{ble} House of Representatives of the Massac^{ts} Bay.

Wednesday, July 3^{d}, 1765.

[P. 32.] It having been represented to the house that there is no Well in or near the prison & that the prisoners often suffer for want of water,

Voted There be a Well digged & stoned in the most suitable place for the use of the Prison, that Mr. Jacob Sheafe be & hereby is appointed to cause the same to be performed & done in the

(1) See page 62 of this volume.—Ed.

most convenient place & manner as soon as may be, that he Receive money out of the Treasury to Enable him to begin & carry on the work and Render Acc^{t} of the charge & Expence thereof to the Gen^{l} Assembly for allowance.

Sent up by the Clerk for concurrence. [Concurred.]

Mr. Sec^{y} brought down the petition of John Gregg of Lond^{o} Derry wth the vote of Council thereon, viz.

In Council, Eodem die, Read & Concurred.

Theo. Atkinson, jun. Sec.

Whereas Capt. John Greg of Londonderry in said Province Petitioned the General Assembly Representing the necessity of a Ways being granted through the land of John Pattin in Londonderry aforesaid to a meadow of said Gregs & others, which the Petitioner did not desire to be an open road, but only a Right of passing in the most convenient Place with Liberty to Maintain gates or barrs which as the Law now stands could not be established by the Court of General Sessions of the Peace, Wherefore he prayed [P. 33.] the aid of this Court, and that a Committre might be appointed to view the premises and report where and on what Terms such way may be Equitably granted, of which petition due notice being given & no material objection having been made, a Committee was appointed who view'd the premises and reported as followeth, viz. That they have lay'd out said way agreeable to said Petition Beginning at a stake and stones about twenty five Rods to the west of said John Pattin's house & so running South West^{ly} as the path is now trod and has been improved for this six or seven years Past to a White oak tree being the bounds of said Capt Gregg's & *Cox's* meadow w^{ch} *William* Greggs we allow said Way or Passage through said Land to be by gates or barrs agreeable to said Petition, and we allow said Greggs or the Petitioners for said Liberty and privilege of Passing as aforesaid yearly and every year to pay to the said Pattin the sum of ten pounds old Tenor, & thus we make our Return the 24th day of June Anno Domini 1765.

Said Report on the Partys being heard fully thereon appearing reasonable,

Therefore

Resolved & voted That the Way or Passage thro' the said Pattin's Land to the Meadow aforesaid be Established agreeable to the Report of said Committee, and that all parties concern'd be and hereby are obliged to observe & comply with the same accordingly, the Payment to be made in the month of Septem^{r} annually and may be Discharged by Ten shillings Proclamation money.

S. H. S. S.

Sent up for concurrence by Tappin & the Clerk who are order'd to Enquire after the several Acts, Resolves & votes that had passed this sessions, which were concurred as well those which were assented to by his Excellency, which were as follows, viz.

Bill to Enable the Treasurer to recover certain debts &c. due to the Province as therein mentioned, pass'd this house May 25th 1765.

Bill in addition to a bill to the Several Laws of this Province as therein set forth Pass^{d} May 25th 1765.

Bill for setting off Part of the Town of Bow together with some lands adjoining thereto with the Inhabitants thereon and making them a Parish in-

vesting them with such Priviledges & Immunities as Towns in this Province have & do enjoy, Pass'd in the house May 25th 1765.

Bill for a Lottery for a Road through Rye pass'd May 25th 1765.

Bill to Enable the Proprietors of Epsom to sell Lands &c. passed May 29th.

Bill to Enable Dad Dodge to Execute certain contracts &c. May 31st.

Bill to Enable the Proprietors of New Britain to sell lands &c. pass'd May 31st.

Bill to dissolve the Marriage of Samuel Smallcom May 31st.

Resolve relative to Gerrish's Estate of Dover pass'd June 7th.

Bill for Regulating Lots & roads in Nottingham June 12th.

[P. 34.] Bill for more easy & expeditious Method of making Partition in real Estates, June 12th.

Bill for adding a Tract of land to Canterbury, as therein set forth, June 12th.

Bill for calling & Regulating Town meetings &c. June 13th.

Bill for removing doubts & to ascertain a certain Estate as therein mention'd June 13th.

Bill for providing in case of sickness, June 13th.

Bill for continuing suits & preventing abatements of Writs, June 13th.

Bill for setting off Debts & Mutual Demand, June 14th.

Bill in addition to Laws relative to proprietaries, June 14th.

Bill to enable selectmen to change highways, June 14th.

Bill appointing Jona Moulton Esq. a guardian to ye childn of Nathl Weare, decd, June 25th.

Bill for supplying the Treasury with 1350£ Proclamation money, June 28th.

Resolve for settling this Govts Money in the Stocks at Great Britain for to be used & improved as therein ordered. Passed May 30.

Votes for all Grants & Publick allowances.

Resolve for the Treasurer to take any Money for ye Province Taxes this prest year.

Vote for Comtee to get the acts printed Relative to Establishing ye moneys and against Exorbitant Interest within this government.

Who returned and informed the Speaker that they had deliver'd at the Board the Papers sent up by them, Enquired after the several Bills, resolves & votes that had pass'd the Prest Session, and that the house wou'd be glad to know immediately what of them had passed the Council and Received his Excellencys assent. The President told them the Secretary was at his Excellencys & when he Returned a message shou'd be sent down.

Thursday July 4th 1765.

On a motion being made that the resolve of the Assembly relative to sending a Committee to New York &c. should lay till the General Assembly meets again,

Voted That the Speaker be desired to withhold the same.

Mr. Secretary bro't down a vote from the honble Board for a Commtee to examine Papers in the Recorder's office & sort them which being read was order'd to Lay for further consideration, he likewise informs the House that the following bills had received his Excellencys Assent, viz.

Bill for setting off part of the Town of Bow.
Bill for a Lottery.
Bill to enable the proprietors of Epsom to sell lands.

Resolve relative to Gerrish's Estate of Dover.
Bill for regulating Lots & roads in Nottingham.
[P. 35.] Bill for adding a tract of land to Canterbury.
Bill for continuing Suits & preventing abatements of writs.
Bill for setting off Debts & mutual Demands.
Bill for supplying the Treasury with 1350£ Proc.
Vote for Com^tee to get the Acts printed Relative to Establishing the moneys & the act against Exorbitant Interest.

[P. 35.] Mr. Secretary also informed the house that all the Grants & Public allowances Were assented to by his Excellency, Except the Votes for the hon^ble Council & House allowance for their Time & attendance in General Assembly.

Then Mr. Secretary was pleas'd to say that he was Directed by his Excellency to inform the house that he had tho't Proper to Prorogue the General Assembly of this Province to Wednesday the 28^th day of August Next Being the last Wednesday in said month 10 o'clock in the forenoon, and then to meet at the State House, & said accordingly in his Majestys name you are

PROROGUED.

[Further prorogued till Nov^r 19, 1765.]

[P. 37.] Anno Regni Regis Georgii Tertii Magnæ Brittaniæ, Franciæ & Hiberniæ, Sexto.

A Journal of the House of Representatives of his Majesty's Province of New Hampshire at a Session begun and Held at Portsmouth in said Province on Tuesday the 19^th Day of Nov^r Anno Domini 1765.

Tuesday, Nov^r 19^th, 1765.

Some of the members met but not sufficient to make a quorum. Adjourned.

NOTE.

[Of his Majesty's Council, there were present at the first meeting

Theodore Atkinson, Daniel Warner, Theodore Atkinson Jr } Esqs. Nath^l Barrell, Peter Livius (1).

All the proceedings, copied or referred to, of his Majesty's Council, in this and the following Sessions till June, 1774, are found in the "Journal of the Council and Assembly, in Sec^ys office, 1765–1774.—ED.]

(1) See Council Records, May 23, 1765,

NOTE.—Richard Wibird, who was appointed a member of his Majesty's Council, 1739, and in 1756, Judge of Probate, died at Portsmouth 25th Sept., 1765, in the 63d year of his age. Thomas Wibird, brother of Richard, died November 12th, 1765, in the 59th year of his age; both were graduates of Harvard College. In his will Thomas left a legacy of £50 sterling to Harvard College; £60 to the School for Instruction of Indians, under the direction of Rev. Dr. Wheelock, at Lebanon, Conn. He also gave sufficient silver to make two large flagons for the North Church in Portsmouth of which he was a member.—ED.

Thursday, Nov^{r} 21st 1765, P. M.

The Speaker not being able to attend the Business of the House a motion was made to choose a Speaker Pro Tempore—and accordingly Col^{o} Peter Gilman Esq^{r} was chosen Speaker Pro Tempore.

Then the House proceeded to make choice of a Clerk, Mr. Andrew Clarkson the former Clerk being deceas'd since the sitting of this House (1) and Meshech Weare was chosen Clerk and sworn to the faithfull Discharge of that office by Col^{o} March.

Mr. Secretary came into the House and said he was directed by his Excellency to Require the Immediate attendance of the Speaker and the House in the Council Chamber.

Mr. Speaker and the House Immediately attended in the Council Chamber: the President of the Council Read his Excellencys Speech to the Council & Assembly and then the House retired.

Mr. Sec^{y} Brot down a copy of his Excellency's speech which was read and is on file.

Governor's Message.

[Copied from MS. Gov^{rs} Mess, Vol. III., p. 289.]

Gentlemen of the Council and of the Assembly —

Not having any commands from his Majesty of Importance to lay before you, I have defered meeting you until this day, & I am hopeing since it is a time of General Leisure, you will give the greater attention to the public business.

Gentlemen of the Assembly —

I persuade myself you will not fail of examining into the State of the Treasury, that the respective Emissions of paper money may be finaly adjusted some of which have been most unreasonably neglected, greatly to the dishonor of the Government, and since this work cannot be effected without the Treasurer, I shall direct him to attend you, with the utmost diligence, that no delay may arise on his account, for you are all sensible that no paper currency can exist after the close of the year 1767.

Gentlemen of the Council and of the Assembly —

The long experience you have had of my administration, makes it almost unnecessary for me to tell you that I shall not be wanting in contributing everything in my power to render this session short & agreeable to the other branches of the Government.

B. WENTWORTH.

Council Chamber in Portsmouth,
November 19th, 1765.

[P. 38.] Voted that a Precept to be signed by the Speaker be issued to the Sheriff to choose one Person to serve in General Assembly in the Room of Mr. Andrew Clarkson Deceas'd.

Whereas the keys belonging to the Lobbey and Boxes in which the Records and files of the House are kept and some of the Journals and Papers belonging to the House are in the hands of

(1) See notice of Andrew Clarkson in Brewster's Ramb. about Portsmouth, Vol. I., p. 269-272. —ED.

the Administratrix of Mr. Andrew Clarkson late Clerk of this House;

Voted, that Clement March Esq. Mr. Jacob Sheaf and Meschech Weare be a Com^tee to Receive the keys and all the Books, Papers and files belonging to this House in the hands of said Administratrix and to deliver them to the Present Clerk and to give a Rec^t to said Administratrix for the same.

Mr. Speaker laid before the House the Proceedings of the late General Congress at New York, which were forwarded to him by direction of the Congress that this House might joyn therein if it saw fit, which were read.

The Com^tee appointed to Receive the Keys, Books and files of the Administratrix of Mr. And^r Clarkson Deceas'd Delivered the same to the present Clerk.

The House adjourned till to morrow 10 o'clock A. M.

Proceedings of the General Congress at New York (1).

[Copied from "Addresses to the King, 1707–1775," in Secretary's Office, pp. 117–132.]

To the Right Honorable the Lords Spiritual and Temporal of Great Britain, in Parliament Assembled,

The Memorial of Freeholders and other Inhabitants of the Massachusetts Bay, Rhode Island and Providence Plantations, New Jersey, Pennsylvania, the Government of the Counties of New Castle, Kent and Sussex upon Delaware, Province of Maryland,

Most humbly shews—

That his Majesty's liege subjects in his American Colonies, though they acknowledge a due subordination to that august Body the British Parliament, are entitled, in the opinion of your memorialists, to all the inherent Rights and Liberties of the natives of Great Britain and have, ever since the Settlement of the said Colonies, exercised those Rights and Liberties, as far as their local Circumstances would permit.

That your memorialists humbly conceive one of the most essential Rights of these Colonists which they have ever, till lately uninterruptedly enjoyed, to be Trial by Jury.

That your Memorialists also humbly conceive another of these essential Rights to be the Exemption from all Taxes, but such as are imposed on the People by the several Legislatures in these Colonies, which Right also they have till of late freely enjoyed. But your memorialists beg leave humbly to represent to your Lordships that the Act for granting Stamp Duties in the British Colonies in America &c. fills his Majesty's American subjects with the deepest concern (2); it tends to deprive them of the two fundamental and

(1) See a notice of this General Congress, in Vol. VII., Colonial MSS. of New York, pp. 760–767. Dr. Holmes, in Am. Annals, Vol. II., p. 135, Camb., 1829, says: "On the 7th of October (1765), a Congress, consisting of twenty-eight delegates from the Assemblies of Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the Delaware Counties, Maryland and South Carolina, convened in the city of New York, and Timothy Ruggles, of Massachusetts, was chosen President. . . . . The Assemblies of Virginia, North Carolina and Georgia, were prevented by their Governors from sending Representatives to the Congress; but they forwarded petitions to England, similar to those adopted by that body."—Ed.

(2) The Stamp Act, as it is called, may be found in State Library, at length, in English Statutes, Vol. VIII., G. Rex. iii., chap. 12, pp. 17-30. London, 1771.—Ed.

Invaluable Rights and Liberties above mentioned; and that several other late acts of Parliament which extend the Jurisdiction and Powers of Courts of Admiralty in the Plantations, beyond their limits in Great Britain, thereby make an unhappy distinction, as to the modes of Trial between us and our Fellow subjects there, by whom we have never been excelled in Duty and Loyalty to our Sovereign.

That from the natural connexion between Great Britain and America, the perpetual continuance of which, your memorialists most ardently desire, they conceive that nothing can conduce more to the Interest of both than the Colonists free Enjoyment of their Rights and Liberties and an affectionate Intercourse between Great Britain and them. But your memorialists (not waving their claim to these Rights, of which with the most becoming veneration and Deference to the Wisdom and Justice of your Lordships, they apprehend they cannot reasonably be deprived) humbly represent, that from the peculiar circumstances of these Colonies, the Duties imposed by the aforesaid acts and several other late acts of Parliament, are extremely grievous and burthensome, and the Payment of the said Duties will very soon for want of specie, become absolutely impracticable, and that the Restrictions on Trade by the said Acts will not only greatly distress the Colonies, but must be extremely detrimental to the Trade and true Interest of Great Britain.

Your memorialists, therefore, impressed with a just sense of the unfortunate circumstances of the Colonies, and the impending destructive consequences which must necessarily ensue from the Execution of these Acts, and animated with the warmest sentiments of filial Affection for their Mother Country, most earnestly and humbly intreat, that your Lordships will be pleased to hear their Council in support of this memorial, and take the Premises into your most serious consideration, and that your Lordships will also be thereupon pleased to pursue such measures for restoring the just Rights and Liberties of the Colonies and preserving them forever inviolable, for redressing their present and preventing future grievances, thereby promoting the united Interests of Great Britian and America, as to your Lordships, in your great Wisdom shall seem most conducive and effectual to that important end, — and your memorialists will pray, &c.

Indorsed "Congress N. Y.
Memorial to House of Lords, 1765."

To the Honorable the Knights, Citizens and Burgesses of Great Britain in Parliament assembled.

The Petition of his Majestys dutiful and loyal subjects the Freeholders and other Inhabitants of the Colonies of the Massachusetts Bay, Rhode Island and Providence Plantations, New Jersey, Pennsylvania, the Governments of the Counties of New Castle Kent and Sussex upon Deleware, Maryland.

Most humbly sheweth —

That the several late Acts of Parliament imposing divers Duties and Taxes on the Colonies, and laying the Trade and Commerce thereof under very burthensome Restrictions, but above all, the Act for granting and applying certain Stamp Duties &c. in America have filled them with the deepest concern and surprise, and they humbly conceive the Execution of them will be attended with consequences very injurious to the Commercial Interest of Great Britain, and her Colonies, and must terminate in the Eventual Ruin of the latter.

Your Petitioners, therefore, most ardently implore the attention of the Honorable House to the united and dutiful Representation of their Circumstances, and to their earnest supplications for relief from these Regulations that have already involved this Country in anxiety, confusion and Distress.

We most sincerely recognize our allegiance to the Crown, and acknowledge all due subordination to the Parliament of Great Britain; and shall always

retain the most grateful sense of their Assistance and Protection. It is from and under the English Constitution we derive all our Civil and Religious Rights and Liberties; We glory in being the subjects of the best of Kings, and having been born under the most perfect form of Government: But it is with most ineffable and humiliating sorrow, that we find ourselves of late deprived of the Right of granting our own Property, for his Majesty's service, to which our Lives and Fortunes are entirely devoted, and to which on his Loyal Requisitions we have ever been ready to contribute to the utmost of our ability.

We have also the misfortune to find that all the Penalties and Forfeitures in the Stamp Act, and divers late Acts of Trade extending to the Plantations, are at the election of the Informer, recoverable in every Court of Admiralty in America. This, as the newly erected Court of Admiralty has a general Jurisdiction over all British America, renders his Majesty's subjects in these Colonies liable to be carried at an immense Expense from one End of the Continent to the other. It also gives us Great Pain to see a manifest Distinction made therein between the subjects of our mother Country and the Colonies, in that the like Penalties and Forfeitures receivable there, only his Majesty's Courts of Record are made Cognizable here, by a Court of Admiralty. By this means we seem to be in effect unhappily deprived of two Privileges essential to Freedom and which all Englishmen have ever considered as their best Birth-rights, that of being free from all Taxes, but such as they have consented to in Person or by their Representatives, and of Trial by their Peers.

Your Petitioners further show, that the remote situation and the circumstances of the Colonies, render it impracticable that they should be represented but in their respective subordinate Legislatures; and we humbly conceive that the Parliament, adhering strictly to the Principles of the Constitution, have never hitherto Taxed any but those who were actually therein represented. For this reason we humbly apprehend they never have Taxed Ireland, or any other of the British subjects without the Realm; but were it ever so clear that the Colonies might in Law be reasonably deemed to be represented in the Honorable House of Commons; yet we conceive that very good Reasons from Inconveniency, from the Principles of true Policy, and from the Spirit of the British Constitution, may be adduced to show that it would be for the real Interest of Great Britain, as well as her Colonies, that the late Regulations should be rescinded, and the several Acts of Parliament imposing Duties and Taxes on the Colonies and extending the Jurisdiction of the Court of Admiralty here beyond their ancient Limits should be repealed.

We shall not attempt a minute Detail of all the Reasons which the wisdom of the Honorable House may suggest on this occasion, but would humbly submit the following Particulars to their consideration:

That money is already become very scarce in these Colonies and is still decreasing by the necessary Exportation of specie from the Continent for the Discharge of our Debts to British merchants: That an immensely heavy Debt is yet due from the Colonies for British manufactures, and that they are still heavily burthened with Taxes to discharge the arrearages due for aids granted by them in the late war; That the Ballance of Trade will ever be much against the Colonies and in Favour of Great Britain, whilst we consume her Manufactures, the Demand for which must ever increase in proportion to the Number of Inhabitants settled here, with the means of purchasing them: We therefore humbly conceive it to be for the Interest of Great Britain to increase rather than diminish these means, as the Profits of all the Trade of the Colonies ultimately center there, to pay for her manufactures; as we are not allowed to purchase elsewhere, and by the Consumption of which all the advanced Prices the British Taxes oblige the makers and venders to set on them, we eventually contribute very largely to the Revenue of the Crown.

That from the nature of American Business the multiplicity of suits and Papers, and in matters of small value, in a country where Freeholders are so minutely divided, and Property so frequently transferred, a Stamp Duty must ever be very burthensome and unequal: That it is extremely improbable that the Honourable House of Commons should at all times be thoroughly ac-

quainted with our condition, and all Facts requisite to a just and equal Taxation of the Colonies.

It is also humbly submitted whether there be not a material Distinction in Reason and sound Policy at least, between the necessary Exercise of Parliamentary Jurisdiction in General Acts for the Amendment of the Common Law, and the Regulations of Trade and Commerce through the whole Empire, and the Exercise of that Jurisdiction by imposing Taxes on the Colonies.

That the several subordinate Provincial Legislatures have been moulded into Forms as near resembling that of the mother Country as by his Majestys royal Predecessors was thought convenient; and these Legislatures seem to have been wisely and graciously established that the subjects in the Colonies might, under the due administration thereof, enjoy the happy Fruit of the British Government, which in their present circumstances they cannot be so fully and clearly availed of any other way.

Under these Forms of Government, We, and our Ancestors have been born or settled, and have had our Lives, Liberties and Properties protected. The People here, as every where else, retain a great Fondness for their old Customs and usages; and we trust that his Majestys service and the Interest of the nation, so far from being obstructed, have been vastly promoted by the Provincial Legislatures.

That we esteem our connections with and dependence on Great Britain, as one of our greatest Blessings, and apprehend the latter will appear to be sufficiently secure when it is considered that the Inhabitants in the Colonies have the most unbounded affection for his Majestys Person, Family and Government, as well as for the mother Country, and that their subordination to the Parliament is universally acknowledged.

We therefore most humbly intreat that the Honourable House would be pleased to hear our Council in support of this Petition and take our distressed and deplorable case into their consideration, and that the acts and clauses of Acts so grievously restraining our Trade and Commerce, imposing Duties and Taxes on our Property, and extending the Jurisdiction of the Court of Admiralty beyond its Ancient Limits may be repealed; or that the Honourable House would otherwise relieve your Petitioners, as in your great Wisdom and goodness shall seem meet.

And your Petitioners as in Duty bound shall ever pray.

Indorsed "Congress N. Y.
Memorial to House of Commons, 1765."

To the King's Most Excellent Majesty.

The Petition of the Freeholders and other Inhabitants of the Massachusetts Bay, Rhode Island and Providence Plantations, New Jersey, Pennsylvania, the Government of the Colonies of New Castle, Kent and Sussex upon Delaware, Province of Maryland:

Most Humbly Sheweth —

That the Inhabitants of these Colonies, unanimously devoted, with the warmest sentiments of Duty and affection to your Majestys sacred Person and Government, inviolably attached to the present happy Establishment of the Protestant succession in your illustrious House, and deeply sensible of your Royal attention to their Prosperity and Happiness, humbly beg leave to approach the Throne by representing to your Majesty, That these Colonies were originally planted by subjects of the British Crown, who, animated with the Spirit of Liberty, encouraged by your Majestys Royal Predecessor, and confiding in the publick Faith for the enjoyment of all the Rights and Liberties essential to Freedom, emigrated from their native Country to this Continent, and by their successful Perseverance in the midst of innumerable Dangers and Difficulties, together with a profusion of their Blood and Treasure, have happily added these vast and valuable Dominions to the Empire of Great Britain.

That for the Enjoyment of these Rights and Liberties, several Governments were early formed in said Colonies, with full Power of Legislation, agreeable to the Principles of the English Constitution.

That under those Governments these Liberties thus vested in their Ancestors, and transmitted to their Posterity, have been exercised and enjoyed, and by the inestimable Blessings thereof under the Favour of Almighty God, the inhospitable Desarts of America have been converted into flourishing Countries, Science, Humanity, and the knowledge of divine Truths, diffused through remote Regions of Ignorance, Infidelity and Barbarism; the number of British subjects wonderfully increased, and the Wealth and Power of Great Britain proportionally augmented.

That by means of these settlements, and the unparallel'd success of your Majestys arms a Foundation is now laid for rendering the British Empire the most extensive and powerful of any recorded in History. Our connections with this Empire we esteem our greatest Happiness and security, and humbly conceive it may now be so established by your royal Wisdom, as to endure to the latest Period of Time. This, with most humble submission to your Majesty, we apprehend will be most effectually accomplish'd, by fixing the Pillars thereof on Liberty and Justice, and securing the inherent Rights and Liberties of your Subjects here upon the Principles of the English Constitution. To this Constitution these two Principles are essential. The Right of your faithfull subjects freely to grant to your Majesty such aids as are required for the support of your Government over them and other publick Exigences, and Trials by their Peers. By the one they are secured from unreasonable Impositions, and by the other from arbitrary Decisions of the executive Power. The Continuation of these Liberties to the Inhabitants of America we ardently implore as absolutely necessary to unite the several Parts of your wide, extended Dominions in that Harmony so essential to the Preservation and Happiness of the whole. Protected in these Liberties, the Emoluments Great Britain receives from us, however great at present, are inconsiderable compared with those she has the fairest Prospect of acquiring. By their Protection she will forever secure to herself the advantage of conveying to all Europe the merchandises which America furnishes, and of supplying thro' the same Channel whatever is wanted from thence. Here opens a boundless source of Wealth and Naval Strength; yet these immense advantages, by the abridgment of those invaluable Rights and Liberties by which our Growth has been nourish'd, are in Danger of being forever lost, and our subordinate Legislatures in effect rendered useless by the late Acts of Parliament, imposing Duties and Taxes on these Colonies, and extending the Jurisdiction of the Courts of Admiralty here, beyond its ancient Limits; Statutes by which your Majestys Commons in Great Britain, undertake absolutely to dispose of the Property of their Fellow subjects in America, without their consent, for the enforcing whereof they are subjected to the Determination of a single Judge, in a Court unrestrained by the wise Rules of the Common Law, the Birth-right of Englishmen and the safeguard of their Persons and Properties.

The invaluable Right of taxing ourselves and Trial by our Peers, of which we implore your Majestys Protection, are not, We most humbly conceive, unconstitutional, but confirmed by the great Charter of English Liberty. On the first of these Rights the honorable the House of Commons found their Practice of originating money Bills; a Right enjoyed by the kingdom of Ireland, by the Clergy of England until relinquished by themselves; a Right in Fine, which all other your Majestys English subjects, both within and without the Realm have hitherto enjoyed.

With Hearts therefore impressed with the most indelible characters of Gratitude to your Majesty, and to the memory of the Kings of your illustrious House, whose Reigns have been signally distinguished by their auspicious Influence on the Prosperity of the British Dominions, and convinced by the most affecting Proofs of your Majesty's Paternal Love to all your People, however distant, and your unceasing and benevolent Desires to promote their Happiness; We most humbly beseech your Majesty that you will be graciously pleased to take into your Royal consideration the Distresses of your faithful subjects on this Continent, and to lay the same before your Majesty's

Parliament, and to afford them such Relief as in your Royal Wisdom their unhappy circumstance shall be judged to require. And your Petitioners, as in duty bound, will pray.

Indorsed — "Congress, N. Y.
Petition to the King — 1765."

Declaration adopted by the Congress at New York, 1765.

The members of this Congress, sincerely devoted, with the warmest sentiments of Affection and Duty to his Majesty's Person and Government, inviolably attach'd to the present happy Establishment of the Protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British Colonies on this Continent, having considered as maturely as Time will permit the circumstances of the said Colonies, esteem it our indispensable Duty to make the following Declarations of our humble opinion respecting the most essential Rights and Liberties of the Colonists, and of the Grievances under which they labour, by Reason of several late Acts of Parliament.

1st That his Majesty's subjects in these Colonies, owe the same allegiance to the Crown of Great Britain that is owing from his Subjects from within the Realm, and all due subordination to that August Body the Parliament of Great Britain.

2d That his Majesty's subjects in these Colonies, are intitled to all the inherent Rights and Liberties of his natural born subjects within the kingdom of Great Britain.

3d That it is inseperably essential to the Freedom of a people, and the undoubted Right of Englishmen, that no Taxes be imposed on them, but with their own consent, given Personally, or by their Representatives.

4th That the People of these Colonies are not and from their local circumstances, cannot be represented in the House of Commons in Great Britain.

5th That the only Representatives of the People of these Colonies are persons chosen therein by themselves, and that no Taxes ever have been or can be constitutionally imposed on them, but by the respective Legislatures.

6th That all supplies to the Crown, being free gifts of the People, it is unreasonable and inconsistent with the Principles and Spirit of the Constitution for the People of Great Britain to grant to his Majesty the Property of the Colonists.

7th That trials by Jury is the inherent and invaluable Right of every British subject in these Colonies.

8th That the late Act of Parliament, intitled "An act for granting and applying certain Stamp Duties in the British Colonies and Plantations in America" &c. by imposing Taxes on the Inhabitants of these Colonies, and the said Act, and several other Acts, by extending the Jurisdiction of the Courts of Admiralty beyond its ancient Limits, have a manifest Tendency to subvert the Rights and Liberties of the Colonists.

9th That the Duties imposed by several late Acts of Parliament, from the peculiar circumstances of these Colonies, will be extremely burthensome and grievous; and from the scarcity of specie, the payment of them absolutely impracticable.

10th That as the Profits of the Trade of these Colonies ultimately center in Great Britain to pay for the manufactures which they are obliged to take from thence, they continually contribute very largely to all supplies granted there to the Crown.

11th That the Restrictions imposed by several late Acts of Parliament on the Trade of these Colonies, will render them unable to purchase the manufactures of Great Britain.

12th That the Increase, Prosperity and Happiness of these Colonies depend on the full and free Enjoyment of their Rights and Liberties, and an Intercourse with Great Britain mutually affectionate and advantageous.

13th That it is the Right of the British subjects in these Colonies to petition the King, or either House of Parliament.

Lastly, that it is the indispensable Duty of these Colonies to the best of Sovereigns, to the mother Country and to themselves, to endeavour by a loyal and dutiful Address to his Majesty, and humble application to both Houses of Parliament, to procure the Repeal of the Act for granting and applying certain Stamp Duties, of all clauses of any other Act of Parliament, whereby the Jurisdiction of the Admiralty is extended as aforesaid, and of the other late Acts for the Restriction of American Commerce.

Indorsed — "Resolutions of Congress of 1765, New York."

Fryday, Novr 22d 1765, A. M.

The House met according to adjournment. Mr. Speaker Laid before the House the Proceedings of the late General Congress at New York which were forwarded to him by direction of the Congress, that this House might joyn therein if it saw fit — which having been Read and Considered,

Resolved and voted Unanimously,

That this House do fully approve of and Heartily Joyn in the Resolves and several Petitions agreed upon by the said General Congress and that the Honble Henry Sherburne, Esq. Speaker of this House, Clemt March and Meshech Weare Esqrs be a Commtee hereby fully impowered to sign the same in behalf of this House, if not too late: If the General Petitions are forwarded and cannot [p. 39.] be signed properly that then and in that case the said Petitions to be fairly Ingrossed, that they sign them in behalf of this House, forward them with Duplicates by the very first opportunity to Barlow Trecothick and John Wentworth, Esqrs at London, who or either of them are appointed Special Agents for this House and are hereby fully Impowered and earnestly Desired to present the said Petitions, to employ Council if need be and use their utmost Endeavors to obtain the favour and Compassion of our most Gracious Sovereign and the Parliament towards his Majestys Distressed but still most faithfull and Dutiful Subjects of his American Colonies.

A message was sent to the Council by the Clerk to Desire that the Acts Resolves and votes Passed in this House the last Session and not concurr'd and assented to might be sent down to the House,

Mr. Secry Brot into the House sundry Bills Passed in this House the Last Sessions not assented to.

P. M.

[p. 40.] A Precept was signed by the Speaker and sent to the Sheriff for the Election of a member to serve in Genl Assembly for the town of Portsmo, in the room of Mr. Clarkson.

Saturday Nov^r 23^d 1765.

The High Sheriff came into the House and Inform'd that sundry Breaches have been made in the Province Goal and that sundry Repairs were wanted to be made and Prayed the House to consider of the same.

[P. 41.] Voted That the Hon^ble Henery Sherburne, Speaker and Col^o Weare be a Com^tee to answer his Excellency's speech.

[P. 42.] Wednesday Nov^r 27^th 1765, A. M.

The House took under consideration the motion made by the High Sheriff Saturday last respecting the State of the Province Goal and appointed Col^o Wentworth, Esqr. Wiggin, Maj^r Right and Capt. Worthen to view the Jail and make Report;—who accordingly went Immediately and view'd said Goal and made Report that some iron Barrs and Repairs are necessary to be made where the Breaches were and sundry other Repairs. Whereupon the House Past the following vote, viz.

Whereas sundry Breaches have lately been made in the Province Goal which are necessary to be Repaired, and sundry other Repairs are wanting to put the said Goal in a Proper situation,

[P. 43.] Voted That Mr. Jacob Sheaf be a Com^tee of this House to joyn such as may be appointed by the Hon^ble Board to get the necessary Repairs made for Puting the Province Goal in a Proper Condition for safe keeping and accommodating Prisoners, That they may be Impowered to Draw money out of the Treasury to accomplish such Repairs and be accountable to the Gen^l Ass^m for the same. Sent up by Mr. Tappan. [Concurred.]

Mr. Barrell Bro't Down from the Board the Petition of Martha Barrell Praying for liberty to bring in a Bill for a Divorce from her husband William Barrell for Reasons assigned in the Petition (*a*).

Also a Petition of many persons belonging to the town of Portsm^o to Prevent the monopoly of fresh Provisions (*b*).

(*a*) Jour. C. & Assm. Nov^r 27, 1765. The Petition of Martha Barrell of Portsm^o in this Province setting forth that about Three months Past she intermarried with one William Barrell of said Portsm^o with all the Publick forms of matrimony under expectation of living comfortably & happily with him and that he would answer every End of matrimony, but so it is that the End of matrimony which among other things Tends to increase & multiply, which cannot be ever answered to her, as it has Pleased God that your Petitioners said Husband is utterly incapable to satisfy the most virtuous and modest Feminine Inclination and is Impotent to render that due Benevolence which every married woman is warranted not only in expectation, but receiving &c. and Praying she might have a day assigned to Prove her allegations and that the said William might be notifyed thereof accordingly. Read & sent down. [The petitioner granted a hearing.]

(*b*) The petition of William Shackford and about 123 others, Inhabitants of the Town of Portsmouth setting forth that they have of late been greatly

agrieved by a custom practised by the shopkeepers in the said Town in Purchasing Provision of Country People, who vend such comodities to the Inhabitants with considerable advance; & praying redress &c. Read and sent down.

P. M.

Whereas by an Act past in the fifteenth year of his Majesty's Reign for setting off a part of the town of Bow together with some lands adjoyning thereto with the Inhabitants therein Erecting them into a Parish &c. for the Reasons therein Expressed: In which Act it was ordered that the first meeting of the said Inhabitants for the choice of Town officers should be held on the third Tuesday of Aug^{t} then next, which meeting was to have been Notified by Samuel Emmerson, Esq^{r}. according to Perticular Directions given in the same Act, which may more fully appear by Reference to the said Act (1) which time is Elapsed, and by some accident Interveneing the said meeting was not duly called, but has hitherto been omitted, Therefore

[P. 44.] Resolved and Voted that the said Samuel Emmerson be and hereby is authorised to call the meeting of the said Inhabitants and to do and perform every other service duty and business to which he was directed and authorised by the said Act, and the said meeting is hereby ordered to be held within the same Parish on the third Tuesday of January next, and every officer who shall be chosen and appointed in consequence thereof shall have the same Power and authority to all intents as if the meeting appointed by said Act had been duly held, and all the said offices shall have the same time to discharge the duty enjoyned by the s^{d} act Reckoning from the time of holding the meeting newly appointed that was allowed from the time of holding the meeting appointed & mentioned in s^{d} Act.

The Committee appointed to prepare an Answer to his Excellency's speech of the 19th Inst bro't into the House an answer which they had prepared which was Read and is as follows, viz:

May it please your Excellency —

Your Exc'ys speech of the 19th Instant calls for our sincere acknowledgment and the strongest assurance that we shall with our usual Diligence proceed to the consideration of the matters Recommended and the Dispatch of all necessary and Important business before us.

The Treasurer's accompts (tho' adjusted in y^{e} last session) and the present [P. 45.] state thereof shall be further Examined, Past neglects (if any appear) Rectifyed, and if some Resolves of the Council and Assembly now before your Exc^{y} calculated as the most speedy and safe method for sinking the Paper Bills of Credit now Extant should be consented to, we might hope soon to see an End of our Paper Currancy.

Your Excellency's kind assurance of contributing all in your power to Render this Session short & agreeable gives us great Pleasure and affords the pleasing Prospect of a speedy Recess.

Voted that the foregoing be sent to his Exc^{y} in answer to his speech of the 19th Instant.

(1) See Bouton's Hist. of Concord, pp. 747, 748.—Ed.

[p. 46.] Fryday Nov^r 29^th^ 1755, A. M.

The President of the Councill came into the House and informed that the vote appointing a Com^tee^ for Repairing the Prison, the Vote for the Gen^l^ Assembly's allowance, the vote for the Treasurer to Receive any money for y^e^ Taxes for the year 1765, and also the Resolve Impowering the Agents to sell the Province money on the Stocks, were concurr'd and consented to by the Governor.

[p. 47.] P. M.

Report of the Com^tee^ for Examining the Province Laws Read and

Voted That the said Report be Received accepted & allowed, and that a Bill be immediately Prepared agreeable to said Report.

Saturday Nov^r 30^th^, 1765.

[p. 49.] Voted That Mr. Jacob Sheaf and Meshech Weare be a Com^tee^ of this house to joyn such as may be appointed by the Hon^ble^ Councill to Receive of the Administratrix of Mr. And^r^ Clarkson Deceas'd the Types from which the Sterling Bills of this Province were Printed which were in said Clarkson's keeping at the time of his Decease; and Lock up the same in the Province Strong Box and make Report to the General Assembly. Sent up by Capt Carlton. [Concurred.]

Voted, That Meshech Weare be a Com^tee^ of the House to Receive of the Administratrix of Mr. And^r^ Clarkson, the Certificates for the wages of the members of the Gen^l^ Ass^m^ left by him at his decease and to give a Rec^t^ for the same (*a*).

(*a*) Petitions, votes, bills, passed by the House and concurred by the C. & Assm. from Nov^r^ 19^th^ to Nov^r^ 30^th^, 1765.

Petition of Samuel Levet & Obadiah Marston for a new Parish in Nottingham — leave to bring in a Bill.

Petition of Inhabitants of New Boston about location of meeting house — leave to bring in a Bill; afterwards, Petition dismissed.

Petition of Sam^l^ Rankin for guardians to be appointed over Thos. Hall and wife, distracted — John Hall & Alexander McMurphy appointed.

Petition of Thomas Levet et alii Presbyterians of Hampton Falls, to be exempted from paying taxes to Rev. Mr. Wingate, hearing granted.

Petition of Susannah Adams of Durham about a Deed withheld from her, hearing granted.

Petition of Inhabitants in westerly part of Durham for a new Parish, a hearing granted.

Com^tee^ appointed about a highway in Newmarket.

Act authorizing the Judge of Probate to divide real estate of Nath^l^ Sargent, dec^d^.

Petition of Josiah Melvin, by Sam^l^ Hobart respecting an action before the Superiour Court — hearing granted.

[P. 50.] Mr. Secretary came into the House and by his Excellency's Direction adjourned the Gen^{l} Ass^{m} to Wednesday the first day of Jan^{y} next 10 o'clock, A. M.

Attest— M. Weare, Cl^{r}.

[P. 51.] Wednesday January 1st 1766.

A number of the members met but not sufficient for a house. Adjourned.

Thursday, Jan^{y} 2^{d} 1766.

The Speaker being unable to attend in the House made choice of Col^{o} Peter Gilman, Esq. Speaker pro Tempore.

The High Sheriff made return on the Precept Issued the 22^{d} of Nov^{r} last for choosing a Representative for the Town of Portsmouth, that William Parker, Esq. was chosen to Represent said Town. [Was qualified by taking the usual oaths.]

[P. 56.] Thursday Jan^{y} 9th 1766, A. M.

The selectmen of Durham Pray'd leave to come into the House and being admitted Inform'd the House that by the death of Maj^{r} Smith who was chosen to Represent s^{d} Town, they were now without a Representative and Pray'd that a Precept might Issue for choosing some person to Represent s^{d} Town in Gen^{l} Assembly, which being considered,

Voted That a Precept to be signed by the Speaker be Issued to the Sheriff for Electing a new member for Durham.

P. M.

[P. 57.] A motion was made from the Speaker that the Resolves agreed on by the General Congress at New York might be Read, and if agreeable to the House that they might be made the Resolves of this House, and made part of the Records of this House.

Said Resolves were accordingly Read and are as follows:

[See page 91.]

[P. 60.] Which Resolves having been maturely considered,

Resolved & Voted, That they Express the sentiments of this House, that they be made part of the Records thereof.

Attest. M. Weare, Clk.

Fryday, Jan^{y} 10th 1766, (*a*) A. M.

(*a*) Votes and Bills &c. passed by the House & Concurred by Council Jan^{y} 9, & 10, Act to establish a Deed of conveyance of about 15 acres of land in Durham.

Act for incorporating a new Parish in Durham.

Josiah Melvin's Petition for a rehearing before Sup^{r} Court, granted.

Susanna Adams petition about a Deed withheld from her, granted.

Wednesday, Jan^{y} 15th 1766. A. M.

[P. 62.] A message was sent to the Council by the Clerk of the House to Enquire what Acts had passed the Council and were consented to by the Governour.

P. M.

In answer to the message to the Council by the Clerk in the forenoon, Mr. Secretary came down and Inform'd that the following Acts were consented to by the Governour, viz.

For a new Parish in Durham.
To enable the Treasurer to recover Debts, &c.
To revive the Proprietary Act.
To enable Selectmen to exchange Roads.
To enable Inhabitants to call town meetings.
To make void a fraudulent Deed.
To enable Peabody & Shepard to sell land.
To Dissolve the marriage of Sam^{l} Smallcom.
22^{d} { In favor of the Proprietors of New Britain.
{ An act relative to the assize of bread.

A message from the Board for a Com^{tee} to examine Papers in the Recording office Brot into the House in July last but not acted on was taken under consideration, and being consider'd, Ordered to lay for further consideration.

[P. 67.] Thursday, Jan^{y} 23rd 1766.

A message was sent to the Board by Mr. Parker to inform that the Acts and Principal business which lay before the House was Passed and sent to the Board and to Desire the same might be Passed at the Board as soon as may be to be laid before his Excellency.

[P. 68.] Mr. Livius Bro't Down from the Council the petition of Martha Barrill sent up from the House the 30th of Nov^{r} last with the vote of the House giving the Petitioner liberty to bring in a Bill for a Divorce, which vote the Council concurred as follows, viz.

In Council Jan^{y} 23^{d} 1766.

The above vote Read & concurred with the amendment, viz. That either party have liberty to bring in a bill of Divorce (a mensa & thoro) to liberate

the Parties from all Demands of their Persons or Estates Respectively unless some future mutial agreement between the said Parties to the contrary should take place, untill which time their Issue to be Illegitimate. Sent down for concurrence.

P. M.

Voted that Mr. Speaker, William Parker Esq and Mr. Jacob Sheafe be a Committee to get all the Publick Acts that are necessary to be printed, that are or may be Passed the present session to be printed as soon and in as cheap a Rate as may be at the charge of the Province: One hundred and fifty copys of each Act to be printed. His Excellency the Governor, each member of the Council and House of Representatives to have one, and one for each Clerk of the Courts and for each Town and Parish Clerk for the use of their respective Towns and Parishes. The remainder to be Disposed of as the General Assembly shall order.

[p. 69.] Saturday, Jan^{y} 25th 1766.

The vote of Councill on Mrs. Barrell's Petition taken under consideration and

Voted, That it be non-concurred.

[p. 70.] Thursday, Jan^{y} 30th, 1766. A. M.

Mr. Sec^{y} came into the House and said the following Acts were consented to by his Excellency, viz.

The Act in addition to the Act for regislating weights and measures.

The Act for Recording Powers of Attorney — or Instruments by which Deeds of Conveyance &c. are made.

The Act to authorize any Town or Towns in this Province to build, Improve & Establish any house within their respective towns — for houses of Correction.

And the other Acts required further consideration. (*a*)

(*a*) Votes, Acc^{ts}, allowances made by the House and concurred by the Council — in addition to the above, from Jan^{y} 16th to Jan^{y} 30th, 1766.

Allowed Ezekiel Gummer for service as door keeper, 3*s* per day from 21st May 1765, to the dissolution of the present Assembly.

Allowed Thomas Furber for printing two laws £3:15.

Acc^{t} of Nathan Rowe, Dep. Sher. for arresting Rachel Eaton, on suspicion of murder, allowed £14:8:0.

Bill to invest the Overseers of the Poor with power to employ them and to provide for bringing up their children more usefully.

Acc^{t} of Eleazer Russel, post master, allowed for postage of the Gov^{rs} letters, £29:16:5, lawful money.

Acc^{t} of Daniel Pierce, Recorder, allowed £33:0:6 lawful money. Daniel Pierce again chosen Recorder of Deeds and Conveyances.

Acc^{t} of Jacob Sheafe for digging a well for the Prison, allowed £14, lawful money.

When the Secretary by his Excellency's direction adjourn'd the Gen[l] Assembly to the twenty-fifth day of Feb[y] next ten o'clock in the forenoon.

Att. M. Weare, Cl[r].

His Excellency the Governor before the Day to which the Gen[l] Assembly stood adjourn'd Prorogued the General Assembly to the 27[th] of May and by a further proclamation the Gen[l] Ass[m] was further Prorogued to the 25[th] of June.

Wednesday, June 25[th] 1766.

The House met according to Prorogation.

[Of his Majesty's Council, Present
His Excellency Benning Wentworth, Esq. Governor

Theodore Atkinson, Dan[l] Warner, Theodore Atkinson, jun. } Esqs. Nath[l] Barrell & Peter Livius.]

A message was sent by Col[o] Goffe to the Chair to inform that there was a House met.

[P. 71.] Mr. Sec[y] came into the House and Inform'd the Speaker and the House that his Excellency the Governor Required their Immediate attendance at the Council Board.

Mr. Speaker and the House Immediately attended at the Council Board where the President of the Council by his Exc[ys] Direction Read his Exc[ys] Speech to the Council and Assembly.

A message was sent to the Board by Mr. Bell to Desire a Copy of his Exc[ys] Speech.

Governor's Speech

[Copied from MS. Gov[rs] Mess[s], Vol. III., p. 291.]

Gentlemen of the Council and of the Assembly —

General Conway, one of his Majesty's Principal Secretary's of State, transmitted me two Acts of Parliament, passed this Session, one for the better securing the dependancy of his Majesty's Dominions in America upon the Crown and Parliament of Great Brittain, the other for the Repeal of the Stamp Act, both of which I have caused to be published. I shall notwithstanding lay them before you, together with the resolves of Parliament previous to the Repeal of the Stamp Act, also General Conway's letter, which, I have thought proper to print for the benefit of his Majesty's subjects, and to apprise them of his Majesty's great condescention and Clemency in relieving us from the distresses we were under while that Act had a being.

General Conway's letter so clearly points out the Expectations of King, Lords and Commons from us, that it would be vain in me to attempt any addition of my own to explain it. I shall therefore only add, that in return to our great benefactors for their compassionate regard to our distresses, I shall always hope to see in this Province a spirit of universal gratitude prevailing, tempered with the purest zeal for his Majestys service, and the prosperity of our mother Country, which will essentially promote our own.

It is by his Majesty's express Commands that I lay before you the resolves of the House of Commons, as you will observe by the Address resolved on, to be presented to his Majesty, that he would be graciously pleased to give directions that the said resolutions should be transmitted to his Majesty's Governors, to be by them communicated to their respective Assemblys.

The resolves of the Brittish Parliament I esteem my duty to recommend to your strictest attention, as the safest path to tread in to obtain favors on future emergencys. A compassionate regard for the sufferers in the late Insurrections, and the universal opinion of the Commons, that those who had been deprived of their property should have ample satisfaction made by the respective Assemblys of the Colonys where the Injurys were done, I am apprehensive was one motive for the Address resolved to be presented to his Majesty; but I have the pleasure & satisfaction to acquaint you that I have no requisition to lay before you, and happy would it have been for the other Colonys had they been in our situation.

Gentlemen of the Assembly —

My confinement with a long fit of the gout disabled me from transacting any public business, and was the occasion of my not meeting you at the time I intended.

The Treasurer shall have my directions to be in readiness with his accounts, and when the State of the Treasury is known I hope you will proceed to make such grants as you may judge necessary to defray the expence and contingencies of the current year, & transact such other matters as you may judge needfull to support the Honor & dignity of the Government. In which I shall contribute every thing that lies in the compass of my power.

B. WENTWORTH.

Council Chamber in
Portsmouth, 25th June, 1766.

Secretary Conway's Letter.

[It appears that Secy Conway's letter was in the form of a Circular, addressed to the Governors of the several Colonies. That, received by Gov. Wentworth, is not found on file; but the following addressed to the Govr of Rhode Island, is copied from R. I. Col. Rec. Vol. VI, pp. 486, 487.]—ED.

St. James [London] 31st March, 1766.

Sir —

Herewith, I have the pleasure of transmitting to you, copies of two acts of Parliament just passed. The first, for securing the just dependency of the Colonies on the mother Country; the second, for the repeal of the Act of the last Session, granting certain Stamp duties in America; and I expect shortly to send you a third, for the indemnity of such persons as have incurred the penalties imposed by the Act just repealed, as such a bill is now depending, and has made a considerable progress in the House of Commons.

The moderation, the forbearance, the unexampled lenity and tenderness of Parliament towards the Colonies, which are so signally displayed in those Acts, cannot but dispose the province committed to your care, to that return of cheerful obedience to the laws and legislative authority of Great Britain, and to those sentiments of respectful gratitude to the mother Country, which are the natural, and, I trust, will be the certain effects of so much grace and condescension, so remarkably manifested on the part of his Majesty, and of the Parliament; and the future happiness and prosperity of the colonies will very much depend on the testimonies they shall now give of these dispositions.

For, as a dutiful and affectionate return to such peculiar proofs of indulgence and affection, may now, at this great crisis, be a means of fixing the

mutual interests and inclinations of Great Britain and her colonies on the most firm and solid foundations; so it cannot but appear visible that the least coldness or unthankfulness, the least murmuring or dissatisfaction on any ground whatever, of former heat, or too much prevailing prejudice, may fatally endanger that union, and give the most severe and affecting blow to the future interests of both countries.

You will think it scarce possible, I imagine, that the paternal care of his Majesty for his colonies or the lenity or indulgence of the Parliament, should go further than I have already mentioned; yet, so full of true magnanimity are the sentiments of both, and so free from the smallest color of passion or prejudice, that they seem disposed not only to forgive, but to forget those most unjustifiable marks of an undutiful disposition too frequent in the late transactions of the Colonies; and which, for the honor of those colonies, it were to be wished had been more discountenanced and discouraged by those who had knowledge to conduct themselves otherwise.

A revision of the late American trade laws, is going to be the immediate object of Parliament; nor will the late transactions there however provoking, prevent, I dare say, the full operation of that kind and indulgent disposition prevailing both in his Majesty and his Parliament, to give to the trade and interests of America every relief which the true state of their circumstances demands or admits.

Nothing will tend more effectually to every conciliatory purpose; and there is nothing therefore, I have it in command more earnestly to require of you, than that you should exert yourself in recommending it strongly to the Assembly that full and ample compensation be made to those, who, from the madness of the people, have suffered for their deference to acts of the British Legislature; and you will be particularly attentive, that such persons be effectually secured from any further insults; and that, as far as in you lies, you will take care, by your example and influence, that they may be treated with that respect to their persons, and that justice in regard to all their pretensions, which their merit and their sufferings undoubtedly claim.

The resolutions of the House of Commons, which by his Majestys commands, I transmit to you to be laid before the Assembly, will show you the sense of that House on those points; and I am persuaded it will, as it most certainly ought, be the glory of that Assembly to adopt and imitate those sentiments of the British Parliament, founded on the dearest principles of humanity and justice.

I must mention one circumstance, in particular, which ought to recommend those unhappy people, whom the outrage of the populace has driven from America, to the affection of all that country; which is, that unprovoked by the injuries they had suffered, to a forgetfulness of what they owed to truth and their country, they gave their testimonies with knowledge, and without passion or prejudice; and those testimonies had, I believe, great weight in persuading the repeal of the Stamp Act.

Your situation, which has made you a witness of the distraction of that country, will enable you to form the best judgment of the behaviour which your province ought to use upon this occasion, and of the arguments which you ought to employ to enforce the necessity of such a behaviour as is suitable to their present circumstances.

I am, etc. H. S. CONWAY.

To the Governor, &c.

[The following are the Acts above referred to copied from English Statutes, Rex G. III, 1766, Vol. VIII, Chap. XI and XII, p. 183, London, 1771 (in State Library).—ED.]

CHAPTER XI.

An Act to repeal an Act in the last session of Parliament, intituled, An Act for granting and applying certain Stamp Duties, &c.

Whereas an Act was passed in the last session of Parliament, intituled, An Act for granting and applying certain Stamp Duties and other Duties in the British Colonies and Plantations in America, towards further defraying the Expences of defending, protecting, and securing the same; and for amending such parts of the several Acts of Parliament relating to the Trade and Revenues of the said Colonies and Plantations, as direct the manner of determining and recovering the Penalties and Forfeitures therein mentioned: And Whereas the continuance of the said Act would be attended with many Inconveniences and may be productive of consequences greatly detrimental to the Commercial Interests of these kingdoms; May it therefore please your most Excellent Majesty, that it may be enacted; and be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first day of May, one thousand seven hundred and sixty six, the above mentioned Act, and the several matters and things therein contained, shall be, and is and are hereby repealed and made void to all Intents and Purposes whatsoever.

CHAPTER XII.

An Act for the better securing the Dependency of his Majestys Dominions in America upon the Crown and Parliament of Great Britain.

Whereas several of the Houses of Representatives in his Majesty's Colonies and Plantations in America, have of late, against Law, claimed to themselves or to the General Assemblies of the same, the sole and exclusive Right of imposing Duties and Taxes upon his Majesty's subjects in the said Colonies and Plantations; and had, in pursuance of such Claims, passed certain Votes, Resolutions, and Orders, derogatory to the Legislative Authority of Parliament, and inconsistent with the Dependency of the said Colonies and Plantations upon the Crown of Great Britain: May it therefore please your most Excellent Majesty, that it may be declared; and be it declared by the King's most Excellent Majesty, by and with the advice and consent of the Lords' Spiritual and Temporal, and Commons, in this present Parliament Assembled, and by the Authority of the same, That the said Colonies and Plantations in America, have been, are, and of Right ought to be, subordinate unto, and dependent upon the Imperial Crown and Parliament of Great Britain; and that the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of Great Britain, in Parliament assembled, had, hath, and of Right ought to have, full power and authority to make Laws and Statutes of sufficient force and validity to bind the Colonies and people of America, subjects of the Crown of Great Britain, in all cases whatsoever.

II. And be it further declared and enacted by the authority aforesaid, That all Resolutions, Votes, Orders and Proceedings, in any of the said Colonies or Plantations, whereby the Power and Authority of the Parliament of Great Britain to make Laws and Statutes as aforesaid, is denied, or drawn in Question, are, and are hereby declared to be, utterly null and void to all Intents and purposes whatsoever.

[P. 73.] The Sheriff made Return of the Process Issued by the Speaker in January last for choosing a Representative for Durham, by which it appears that Doct Ebenezer Thompson was chosen to represent said Town. Adjourned.

Thursday June 26th 1766, A. M.

Voted, That the Honble Henry Sherburne Esq, Speaker, Colo Peter Gilman, William Parker, Clement March and Mesheck Weare Esqrs be a Comtee of this House to joyn with such as may be appointed by the Honble Council to Prepare a Humble & Dutifull Address to his Majesty and the Parliament Expressing the grateful sense we have of his Majesty's abundant grace and favour and of the Parliament in granting us Relief under our Distresses by the Repeal of the Stamp Act and other marks of their favour, to be laid before the Genl Assm as soon as may be for their approbation. Sent up by Majr Downing & Docr Bartlett.

[Read and concurred, and Honble Theodore Atkinson Peter Livius & George Jaffrey Esqrs added on the part of the Board.]

[P. 74.] A message was sent to the Board by Mr. Tappan & Docr Giddings to Desire that all the Bills, Votes and Resolves past last Session and not concurred by all the Branches might be sent down to the House.

Fryday, June 27th 1766.

The Treasurer bro't his Accompts into the House and delivered them to the Speaker.

Voted allowances, (*a*) &c.

(*a*) Jour. C. & Assem. For his Excellency's more ample support, £250. From June 12, 1766 to June 12, 1767, Proclamation money.

For Governor's house rent, one year, £50, Proc. mon.

For Theodore Atkinson jun. Esq. as Secretary, one year, £60 Proc. mon.

For Wiseman Claggett, Esq. Attorney General from 10th May 1765, to 10th May, 1766, £10, Proc. mon.

For Thomas Packer, Esq. Sheriff, from 25th March 1765 to 25th March 1766, £4 Proc. mon.

For Rev. Dr. Samuel Langdon, as Chaplain from 29th May 1765 to 29th May 1766, fifty shillings, Proc. mon.

For Rev. Mr. Samuel Haven, for same time, 50*s* Proc. mon.

For Muster Roll of Capt. Thomas Bell, at Fort Wm. & Mary £232: 9: 2, Lawful money.

Monday, June 30th 1766.

[P. 80.] Mr. Secretary came into the House & Informed that he had his Excellency's order for administering the oaths to the member returned for Durham. [Accordingly Docr Ebenezer Thompson was qualified by taking the oaths.]

[P. 81.] Tuesday, July 1st 1766.

Mr. Livius (1) bro't from the Board the Petition of George Meserve Esq^r Praying for an allowance for the abuses, loss of time &c. he has sustained by his being appointed Distributor of Stamps, &c. and said the Council Recommended an Inquiry that it might not be Represented at home that said petition was slighted or taken no notice of (*a*).

(*a*) Jour. C. & Assm. July 1. 1766. The petition of George Meserve Esq. setting forth that he having been appointed Distributor of the Stamp Papers, &c. for this Prov^e, that by reason of his appointment he had been most shamefully & scandalously insulted and abus'd & from repeated threats against him, has been kept in constant fear of his life & Property, & pray'd the advism't of the General Assembly. (2) Read and sent down.

Mr. Sec^y Bro't from the Board a Petition of sundry persons of Gosport and other Places praying Leave for a Lottery to build a Pier or Bason at Gosport.

Mr. Speaker laid before the House an answer to his Excellency's Speech which was read and is as follows:

[P. 82.] *May it please your Excellency —*

With hearts full of gratitude to the best of Kings, the Parliament of Great Brittain, and all our other Noble and Honorable Friends, we beg leave to make answer to your Excellency's speech from the chair the 25th of June last.

We thank your Excellency for the communuications therein contained. The Repeal of the Stamp Act gives us the most sensible Joy and Pleasure. The condescending goodness and Paternal affection of Royalty and Power expressed with so much tenderness and humanity in Mr. Secretary Conway's letter cannot fail of strengthening our Grateful Souls to proceed in that cheerfull obedience to our Sovereign and the Legislative Authority of Great Brittain, which has ever been our delight as well as Privilege.

We thank your Excellency for your wise and compassionate conduct in the times of our Greatest Distress by which the Honor of the Crown and safety of the subject, were promoted and Peace and good order Preserved. And as

(1) Peter Levius, a member of his Majesty's Council, before the Revolution, was a loyalist or tory. He was born in Bedford, England, 1727. He was married in England to Anna Elizabeth, second daughter of John Tufton Mason, a cousin of the Earl of Thanet. Miss Mason was of Portsmouth, a resident at the Mason house on Vaughan street, and had gone to England to complete her education. Mr. Livius possessed a handsome fortune, and when he came to Portsmouth, about the year 1762, he not only brought his coach, but also a double set of wheels, supposing that the new world had not art enough to make a set when the first gave out. He was educated abroad, but received an honorary degree from Harvard University.—*See Brewster's Ramb. Vol. II., p.* 78.—Ed.

Note.—Mr. Brewster states in this connexion that "of the members of the Council of New Hampshire, in 1772, seven were relatives of the Governor."—*See Farm. Bell.* p. 326. Ed.

(2) George Meserve, Esq., a native of Portsmouth, was the agent for distributing the stamps in New Hampshire. He was in England at the time he was appointed, but soon after returned to this country. He arrived at Boston the 9th of September. When the news of his arrival reached Portsmouth, the indignation of the populace was manifested not only in words, but on the morning of the 12th of September, his effigy was exhibited at the Hay-market. It was accompanied by that of Lord Bute, the originator of the Stamp Act, and the Devil. The effigies hung there through the day, and in the evening were carried through the town in a tumultuous manner and publicly burnt. Mr. Meserve, reaching Portsmouth on the 15th of September, was immediately surrounded by a large concourse of people. To pacify them, he made a public resignation of his office on the parade. The Stamped paper, intended for this Province, arrived at Boston the 30th of September, and there being no persons authorized to take charge of it, Gov. Bernard of Mass. directed it to be lodged in the Castle.—*See Adams, Ann. Portsmouth* (1765.)—Ed.

your Excellency's Assurances of contributing all in your power to support the Honor and Dignity of the Government, call for our most gratefull Returns, we shall with pleasure and Dispatch proceed to make the necessary Provisions for the service of the currant year, and finish the business of this Sessions.

Voted, That the foregoing be sent to his Excellency the Governor in answer to his speech of the 25th of June last, Sent up by Capt. Bell & Mr. Burley.

[P. 83.] Whereas John Thomlinson jun. of London, Esq. by vote of y^e^ General Assembly of this Province of the 28th of January and 2d of February 1763, was (at the request of our faithfull and vigilant agent John Thomlinson of East Barnet, Esq^r^. whose age and bodily Infirmities often Prevented his necessary attendance at Court &c.) appointed joynt agent with the said John Thomlinson of East Barnet, Esq. in case of Death or Inability (that the Interest of this Province might not suffer) The said John Thomlinson jun^r^ Esq. was by the said vote Impowered in Quality of Agent to appear &c. Seperately: Whose health having been since greatly Impaired often occasions his being in the Country at too great a Distance from Court to attend at the several Boards at such times when the affairs of the Province most Require an appearance, and it being necessary for many Reasons that the Province agent should generally Reside near the Court and the several Boards and officers that an appearance when necessary may not be wanting:

Therefore Resolved and voted,

That Barlow Trecothick of London and John Wentworth (1) now residing in London, Esqrs. be and hereby are Nominated and appointed Joynt Agents in this Province with the said John Thomlinson and John Thomlinson jun. Esq^rs^ and that they have full power for and in behalf of this Province Before his Majesty, the Parliament of Great Brittain or any other Court, Board or office, to appear for and in behalf of this Province to do and [P. 84.] transact any and every affair Proper for an agent or agents to transact agreeable to such Instruction and advice as

(1) John Wentworth was afterwards appointed by his Majesty Governor of New Hampshire. It seems he went to England some two years previous to this time, and was introduced to John Thomlinson, Esq., by a letter from Theodore Atkinson, Sen. dated October 21, 1763, in language as follows:

"Now D^r^ Sir, Let me beg the favour of your wonted free and candid advice to the Bearer, Mr. John Wentworth, my Brother Mark's (1) eldest Son. He will want nothing more than your common civility & I am sure you'l have Pleasure in every favour of that kinde you bestow upon him, as you will I am persuaded find him a worthy agreeable young Fellow. I know your directions will have a proper influence & in it, you'l greatly obleidge not only me, but all your friends here. I propose if I have time before he leaves us to furnish him with some memo. relative to the settlement of all my small acc'ts in London, in which he will also need your assistance, which leaves me no more to add but that I wish you every Blessing," &c.

In another letter Mr. A. says, "My kinsman, John Wentworth, by whom you will receive this, is taking a trip to England. I know I need not recommend him to your House. You'l find him deserving every Favour granted."—*MS. Belk. Pap. pp.* 179, 183.—Ed.

(1) Mr. Atkinson's wife, Hannah, was a daughter of Lt. Gov. John Wentworth, and brother of Mark Hunking W.—Ed.

they shall or may from time to time Receive from the Province, and that no failure of appearance may happen by the Death, absence or Inability of Either of said Agents.

It is further Voted,

That the survivor or him whose health, ability or Presence in London will permit his attendance as aforesaid, shall be and and hereby is authorized and Impowered to appear and transact as aforesaid as fully to all Intents and Purposes as tho' all acted jointly therein.

Sent to the Councill July 3d 1766 by Mr. Sheaf Mr. Merrill and Mr Knowles. [Read and concurred.]

Letter from Hon. Theodore Atkinson to John Wentworth and Barlow Trecothick, Esqrs.

[Copied from MS. Belk. Papers, p. 184.]

Portsmo, July 12, 1766.

We have now the Pleasure to inclose you copy of a resolve of the Legislature here *appointing you joynt & separate agents for this Province*, at the Court of Great Britain with or without Messrs. Thomlinson; hope no refusal will prevent us the Favor of your Interest in that capacity. We also endorse three separate addresses to his Majesty, the Lords Spiritual & Temporal & to the House of Commons, by which you'll see how the repeal of the Stamp Act was resented in this Prov: as the votes are unanimous we hope if we may have err'd in any matter of Direction or Form will be overlooked and imputed to our not being acquainted with the method of such addresses; we assure you they speak the minde of the Province, you'l therefore make the proper use of them. (1)

Some acts were tho't of & all the Branches of the Legislature here appeared desirous of Passing such acts for Preventing *illicit* Trade as Recommended, but the multiplicity of Business that lay before the Court & the shortness of the session occasioned by the early Harvest it was deferred for the Present.

Accept our gratefull Thanks for your spirited & kind assistance in the affair of the repeal till you have it in a more Genl Address which was designed you.

We must beg your Endeavours relative to the obtaining our Quota of the money granted for our expenses in 1756, and Pray let us know what our money in the Funds sell for that we keep within Bounds in our Drafts & what may be in the agents hands from time to time.

When the former agents sent a standard of weights & measures they

(1) The joy which the repeal of the Stamp Act occasioned in this Province may be judged of by the account of it given by Adams in Annals of Portsmouth. He says: "Thursday, the 22d of May, was appointed for celebrating this important event. At early dawn all the bells began to ring; a discharge of cannon saluted the rising sun. A battery of twenty-one guns was erected near Liberty Bridge, and dedicated to his Majesty. Another of thirteen guns was erected on Church-hill in honour of Mr. Pitt, and a third of five guns on the town-wharf. The ships in the harbor were decorated with their colors; drums and military music contributed to the hilarity of the day. At 12 o'clock a royal salute was fired at Castle William and Mary, by order of the Governor, which was answered by batteries in town. In the afternoon a grand procession was made through the principal streets, and a salute was fired at each of the batteries as they passed. Bells continued ringing through the day. In the evening a bon-fire was kindled on Wind-mill hill," &c. — Ed.

omitted some particulars which the Treasurer often wants & are as the Memº below which you'l please to order the shiping of, as also the last Volm of the Statutes, one being printed since we had the former.

We are, &c.,

pr order, A———.

1 Gall. Port, Winchester measure
one 2 quart Do Do
1 sett of money scales & weights.
The last volm of Statutes of Engld
copy

Voted, That the Treasurer send out his Warrants for collecting the Province Tax for the currant year which may be paid in species agreeable to the prices fixed and set to the following merchantable articles of the Produce of this Province, viz.:

Barr Iron	at N. Tenr	£5: 0: 0	prs Hundd Wt
Hemp	at	0: 3: 0	pr lb.
Indian Corn	at	0: 10: 0	pr Bushl
Rye	at	0: 10: 0	pr Do
Peas	at	1: 0: 0	pr Do
Winter wheat	at	1: 5: 0	pr Do
Barley	at	0: 10: 0	pr Do
Pork	at	0: 1: 0	pr lb
Beef	at	0: 0: 9	pr Do
Flax	at	0: 3: 0	pr Do
Beeswax	at	0: 5: 0	pr Do
Bayberry wax	at	0: 3: 0	pr Do
Well tanned sole leather	at	0: 4: 0	pr Do
Tallow	at	0: 2: 6	pr Do
Winter & Spring Cod-fish	at	4: 0: 0	pr Quintl
Pitch	at	3: 10: 0	pr Barrl
[P. 85.] Tar	at	2: 0: 0	pr Do
Turpentine	at	4: 0: 0	pr Do
White pine Joyst	at	4: 0: 0	pr Thousd
White pine Boards	at	5: 0: 0	pr Do
White Oak 2 Inch Plank	at	25: 0: 0	pr Do.

Sent to the Councill with the Bills for supply of Treasury, &c., July 3d.

Wednesday July 2d, 1766.

The house took under consideration the Petition of a number of Persons belonging to Hampton Falls, Praying to be freed from paying to the support of Mr. Wingate &c, (1) and having heard the Parties thereon,

(1) Rev. Paine Wingate was ordained pastor of the second church in Hampton. (Hampton falls) Dec. 14, 1763. In January, 1765, a portion of the church professing dissatisfaction with Mr. Wingate on account of doctrine, asked to be dismissed, that they might be formed into a Presbyterian church. This led to a division. He resigned his charge March 12, 1776; afterward became distinguished in civil life, a member of the Old Congress, a Representative and Senator in Congress and a judge of the Superior Court of the State. Mr. Wingate was born May 14, 1739, graduated at Harvard College 1759, married Eunice, daughter of Dea. Timothy Pickering, and sister of Hon. Timothy Pickering; died at Stratham March 7, 1838, in the 99th year of his age. His wife survived him, and died in 1843, in the 101st year of her age. — [*See N. H. Chs. Hampton Falls, pp.* 78, 79.] — Ed.

Voted, That the Petitioners have liberty to bring in a bill for them and their Estates to be set off from the Parish of Hampton falls, to act in all respects as a distinct Society or Parish by themselves, excepting paying their proportion of the Province tax untill a new proportion thereof. The line of said new Parish to be fixed by a Com^tee^ of the General Court with liberty for such of the Petitioners as shall not fall within said new Parish to Poll off with their estates and belong thereto: And for any who shall fall within said new Parish who are not of the Presbyterian Persuasion to Poll off with their Estates and belong to the old Parish; and for any who are not of the Presbyterian Persuasion who have or shall have lands within said new Parish to Poll off said lands to belong to the old Parish, agreesble to the purport of a vote of the Parish of Hampton Falls the second day of Sept^r^ 1765. Sent up by Mr. Jenness.

[P. 87.] Thursday, July 3^d^ 1766, A. M.

The House took under consideration the petition of George Meserve, Esq., and

Voted, That Col^o^ Peter Gilman, Col^o^ Clement March, Col^o^ John Wentworth, Esq., Capt. John Gidding and Meshech Weare be a Committee of this House to joyn with such as shall be appointed by the Hon^ble^ Councill as soon as may be to hear the Petitioner & make strict Inquiry into the matter alledged by the Petitioner and to make Report to the General Assembly. Sent up by Coll^o^ Goffe and Mr. Thompson. (*a*)

(*a*) Jour. C. & Ass^m^ July 3, 1766. Coll. Goffe from the House bro't up the Petition of George Meserve as Enter'd the 1^st^ July last, Complaining of some shameful & scandalous Insults & Abuses &c. and vote of the House of this day thereon appointing a Com^tee^ of the Same to join a Com^tee^ of Councill to hear as soon as may be the petitioner's request & to make strict inquiry into the matters alledg'd & make report, which vote was read at the Board & concurr'd & a Committee of the Board appointed to join in y^e^ affair.

P. M.

[P. 89.] Whereas there are but small sums of Paper Bills of Credit now circulating in the Province in Proportion to the Largeness of the Taxes, by reason of which his Majesty's good subjects may be put to great Difficulty to Procure any Particular sort of money to pay their taxes,— For Prevention whereof,

Resolved and voted, That the Inhabitants of this Province may have liberty to pay their Taxes for the present year in silver or gold or in any Bills of Credit now Extant at their present value, and the Treasurer is hereby Impower'd and Required to receive the Same Accordingly. Sent up by Col Goffe. [Concurred.]

Voted, that Col^o^ Gilman, Col^o^ March, Col^o^ Wentworth, Col^o^ Goffe, Capt. Chamberlin and Messhech Weare, be a Com^tee^ of this

House to make the Best inquiry they can respecting the number of Inhabitants, situation, and in what manner the Province may be best Divided into Counties and make Report to the House at the next Sessions of their opinion thereon.

[P. 90.] Fryday, July 4th, 1766, A. M.

The House took under consideration the Recommendation of James Otis, Esq. for an allowance to be made to Mr. John Cotton who was Secretary to the Congress at New York.

Voted, That there be allowed and Paid to the said Mr. John Cotton the sum of twenty Pounds Lawfull money out of the money that is or shall be in the Treasury, as a Reward for his service in that affair so far as they relate to this Province.

Mr. Secy Bro't from the Board the Petition of Daniel Jones on behalf of the Town of Hinsdale to be eas'd of Part of the Province tax as part of the Town is taken into New York Government. (1)

Saturday July 5th 1766. (a)

(a) Jour. C. & Assm. Upon a motion made by some of his Majestys Council that they tho't it Proper while the Council were sitting in General Assembly to have Prayers in the Council Chamber every morning, which motion being approv'd of, resolv'd that the Revr Arthur Brown be apply'd to, to officiate Accordingly & that Mr. Warner jur and Mr. Jaffrey are desired to wait upon Mr. Brown & acquaint him of this resolve and know his Determination & report thereon.

[P. 92.] Monday July 7th 1766.

Mr. Livius Bro't from the Board the Petition of a number of Persons from Durham and other places against Mr. John Sullivan for Evil Practices in him as an Attorney at Law.

Wednesday July 9th 1766, A. M.

[P. 94.] The petition of the Inhibitants of Durham &c. against Mr. Sullivan being considered

Voted, That the Petition be remitted to the Honble the Justices of the Supr Court for their Examination into the matters therein charged, and to make such order thereon as they shall judge Proper. Sent up by the Clerk.

(1) The town of Hinsdale was laid off on both sides of the Connecticut river, and New York claimed the part that lay on the west side.—Ed.

Mr. Livius Bro't from the Board the Report of the Com^tee on Mr. Meserve's Petition, with the vote of Council thereon, That said Petition be dismiss'd — which vote of Council was concurred by the House. (*a*)

(*a*) Jour. C. & Ass^m July 9. The Committee of both Houses appointed the 3^d Instant to make inquiry into the matters alledg'd in the Petition of George Meserve, as enter'd the 1^st of July last, this day made their unanimous Report that they find no Damages done his Body or Estate, &c. Therefore recommended a Dismission of the Petition which was read and accepted & order'd that s^d Petition be dismiss'd and sent down to the Assembly for concurrence.

[P. 95.] Voted That Mr. Speaker, William Parker, Esq. and Meshech Weare be a Com^tee to Examine and Prepare a Table of Fees to be laid before the Gen^l Ass^m at the first part of their next sitting.

P. M.

Upon a motion made by the Petitioners from Hampton Falls for some alteration to be made in the vote of the House on their Petition.

Voted, That it be understood that any non Residents that have or shall have Lands in either Parish shall have liberty to Poll off their said Lands to that Parish which they shall choose (1).

The Petition was sent for from the Board and the above alteration Entered thereon and again sent to the Board by y^e Clerk.

[P. 96.] Thursday July 10^th 1766, A. M.

Mr. Warner Bro't from the Board the vote of this House of the 4^th July 1766, for allowance of £20 to Mr. Cotton and said That the Council tho't ten Pounds would be a sufficient allowance.

Said vote was accordingly altered to fifteen pounds and again sent to the Board.

P. M.

The Com^tee appointed to Prepare Humble and Dutifull Addresses to his Majesty and the Parliament Reported That they had prepared said addresses which being read and approved by the House,

[P. 97.] Voted Unanimously, That they be fairly Engrossed and Signed by Henry Sherburne Esq^r Speaker of this House, and when Passed by the other Branches that they be forwarded to the Agents for this Province at the Court of Great Brittain to be Presented as directed. And that Duplicates be in like manner Prepared, Signed and forwarded.

(1) See *Ante*-marg. p. 85.—Ed.

Which vote with the Addresses Prepared and Signed were sent to the Board, by Col° Gilman, Col° Barr, Mr. Wiggin & y° Clerk (*a*.)

(*a*) Jour. C. & Ass^m July 10^th^. Mr. Weare from the House bro't up the Report of the Committee of both Houses appointed on the 25^th^ June last for preparing humble and dutifull addresses to his Majesty, to the House of Lords & Commons with a vote of the House approving the same & ordering them to be engross'd & sign'd by the Speaker & forwarded to the Agents to be presented &c. which vote was read at the Board & Concurred (1).

Mr. Jaffrey came into the House and mov'd to the House that there was not money in the Treasury to answer the Demands that Probably would soon be made, unless he used money pd for Sterling Bills, which he apprehended he could not do without some Vote to authorize him.

Which motion being considered the House came to the following Resolve.

Whereas the taxes for paying the contingent charges of the Government are not wholly paid into the Treasury, by means whereof there may not be sufficient to answer the present Demands, Therefore

Resolved and Voted, That the Treasurer be and hereby is authorized in such case to pay off the allowances and Demands Due by Grant of the Governor Councill & Assembly out of any silver and gold that may be in the Treasury, to be Replaced by the money Raised by tax when the same shall be paid into the Treasury. Sent up by the Clerk.

[P. 98.] Fryday July 11^th^ 1766, A. M.

Mr. Secretary, Mr. Barrell, Mr. Warner and Mr. Ringe came from the Board and Delivered a written message from his Excellency the Governor, which was read and is as follows:

Gentlemen of the Assembly —

His Majesty by his Royal Mandates having appointed the Hon^ble^ Henry Sherburn Esq. your present Speaker to a seat in the Council, In consequence whereof the Speaker's Chair becomes vacant, you are therefore hereby Directed to Proceed to the choice of a fit person for Speaker in his Room as soon as he has taken his seat at the Board and make Returns of your Doings therein to me for my approbation.

B. WENTWORTH.

Given at Portsmouth, in Council
the 8^th^ day of July, 1766.

Which message being read,

The Speaker in a Polite manner Returning his thanks to the House for all the Honors and favors shown him by the House, took *took* leave of the House and took his seat at the Council

(1) The editor has searched in vain for a copy of the aboves^d^ Addresses.—ED.

Board. And then the House proceeded to make choice of a Speaker, and the Hon^ble^ Peter Gilman Esq. was chosen Speaker.

When a message was sent by the Clerk, William Parker, Esq. [P. 99.] Col^o^ Goffe, Capt. Carlton, Mr. Toppan, and Capt. Henderson to inform his Excellency that the House had made choice of the Hon^ble^ Peter Gilman, Esq. for their Speaker, and to Present him for his approbation.

Mr. Sec^y^, Mr. Pierce, Mr. Jaffrey & Mr. Warner came into the House and informed the House that his Excellency approved of their choice of the Hon^ble^ Peter Gilman Esq. for their Speaker.

The speaker was then conducted to the Chair.

Mr Sec^y^ Bro't from the Board the Petition of Mr. Barrel and others for an allowance for Damages done by Mobbs &c. which is ordered to lay for consideration. (*a*)

(*a*) Jour. C. & Ass^m^, July 11^th^. The petition of Nathan^l^ Barrell, Benj^n^ Hart, and four more setting forth that on the 1^st^ of November last a number of People were assembled together in a Riotous manner in the Town of Portsmouth in profess'd design to oppose the Stamp Act taking place, & in a riotous manner did damage, break & spoil a house built at our expense for the purpose of Worshipping God &c. & Praying redress.

Read and sent down to the Assembly.

Voted, That Mr. Speaker, William Parker, Esq. and Meshech Weare be a Com^tee^ to Return the thanks of this House to the Hon^ble^ Henry Sherburne Esq. their late Speaker for his affectionate Address at leaving the House and for his great Services to the House while he was speaker.

Voted, That a Precept Issue to the Sheriff to be signed by the Speaker of the House to choose a member to represent the Town of Portsmouth in the Room of the Hon^ble^ Henry Sherburne Esq. advanced to the Board.

Whereas, Sundry Escapes from Prison have lately been made by Prisoners for Debt, and actions thereupon have been commenced [P. 100] against the Sheriff which are now pending, and the Indemnification of the Sheriff by the Province Depends upon the Evidence of the Insufficiency of the Prison, therefore

Voted, That Mr. Jacob Sheaf & Richard Jenness 3^d^ Esq^r^ be a Com^tee^ to attend any such Tryal, to employ Councill at their Discretion and use all means they shall judge proper in order to a fair tryal whether the Escape was thro' the Defect of the Prison and to appeal and cause any such actions to be tryed at the Sup^r^ Court if they think it necessary to the End aforesaid. The charge said Committee shall be at to be paid by the Province. (*a*) Sent up by the Clerk. [Concurred.]

(*a*) Notes, bills, acc^ts^ &c. passed by the House and concurred by the Council, from July 2^d^, to July 11^th^ 1766.

Act to authorize division of Moses Davis estate, of Durham, dec^d^.

Petition of Thomas Prowse and wife for land belonging to estate of Dan^l^ Pickering, dec^d^.—a hearing granted.

Act directing the admission of Town inhabitants.

Act for a Lottery to make a highway in Rye.
Act for making a partition of land more easy and expeditious.
Allowance to Thos. Packer for service as Sheriff, £4.
Petition of Thomas Marden et alii, of Portsmouth, to be set off to Rye,—hearing granted.
Allowance to Samuel Hobart for expenses, £8: 15: 6, lawful money.
Gosport and Portsmouth petition for Lottery to build a Pier, &c., hearing granted.
Allowance to Stephen Burton & Stephen Batson, ship inspectors, £14, lawful money.
Petition of inhabitants of Derry-field — leave to bring in a bill.
Petition of Sam[l] Kimball, guardian of children of Jona. Dow, of Plaistow; leave to bring in a bill.
Act to establish a deed of conveyance of five acres of land in Durham.
Petition of inhabitants of Newmarket for highway — report on.
Allowance to Rich. Jenness 3[d], for wood to Gen[l] Assem. £7: 6, law. mon.
Allowance to Thomas Packer and Jacob Sheaf for repairing the Goal, £119, lawful money.
Annis Campbell, petition against John Coffran; a hearing granted.
Petition of Jno. Tibbets, in prison, praying advice &c.
An act impowering Judge of Probate to make division of the estate of Joseph Smith, of Durham, dec'd.
Bill for division of land of Jonathan Dow, dec[d], of Plaistow.
Bill for vacating a town meeting in Derry-field, and choosing new officers.
Act to establish the annual town meetings in East Parish of Kingston.
Acc[t] of Theo. Atkinson, Sec[y] allowed, £7: 3 Lawful mon.
Allowance to John Cotton, for clerk service at New York, £15.

Mr. Sec[y] came into the House and by his Excellency's Direction Prorogued the General Assembly to the Seventh Day of October next at ten o'clock in the forenoon.

Attest M. Weare, Cl[k].

His Excellency by Proclamation further Prorogued the Gen[l] Ass[m] to Tuesday the 4[th] of Nov[r] next.

[P. 101.] Tuesday, Nov[r] 4[th] 1766.

Met according to Prorogation. A number of y[e] members But not sufficient to make a House.

[Adjourned from time to time, till]

Thursday, Nov[r] 6[th] 1766, A. M.

A message was sent by the Clerk to Inform the Board that there was a House ready to Proceed on Business.

Mr. Secretary came into the House and said he was Directed by his Exc[y] to Require the Attendance of the Speaker and the House in the Councill Chamber.

The Speaker and the House Immediately attended in the Councill Chamber, and the President of Councill by his Exc[y's]

Direction Read his Excys Speech to the Councill and Assembly and then the House Return'd to their Chamber.

Mr. Jaffrey Bro't from the Board a copy of his Excys speech, as on file.

His Excellency's Speech being read the House took the same Immediately under consideration.

Governor's Speech.

[Copied from MS. Govrs Messages, Vol. III, p. 301.]

Gentlemen of the Council & of the Assembly —

It having been his Majesty's pleasure to appoint John Wentworth, Esq. to succeed me in the Government, who, I presume may be expected some time in this month, for this reason I thought it necessary to meet you in General Assembly at this Juncture, that you might have an opportunity to provide for his reception, which I flatter myself you will chearfully engage in.

I propose to adjourn you at the close of this week, unless you have anything essential to transact for the welfare of the Province.

B. WENTWORTH.

Council Chamber in
Portsmouth, November 6th, 1766.

[The members of his Majesty's Council present at this time, were]

His Excellency the Governor.

Theodore Atkinson		Jonathan Warner	
Daniel Warner		Daniel Rindge	
James Nevin	Esqrs.	Daniel Pierce	Esqrs.
Theodore Atkinson, jun.		Henry Sherburne	
Nathaniel Barrell		George Jaffrey	

Voted That Mr. Speaker, Colo March, William Parker, Esqr, Colo Wentworth and Meshech Weare be a Comtee to joyn such as shall be appointed by the Honble Board to consider the subject matter of his Excellency's speech, and make Report what may be Proper to be done. Sent up by Esqr Jenness. [Concurred and Committee added.]

[P. 102.] The High Sheriff made return to the Speaker of the Precept for choosing a Representative for the Town of Portsmouth, by which it appeared that Mr. John Sherburne was chosen.

Voted That Mr. Speaker, William Parker, Esq. and Meshech Weare be a Comtee to Prepare an Answer to his Excys speech.

Mr. Jaffrey Bro't from the Board the Petition of Robert Trail Esq. Praying for a Patent for Sale Brewing and vending Strong Beer (*a*).

Also the petition of Isaac White for a Comtee to be appointed to make an assessment in Pembrook for a sum of money Recovered by Rev. Mr. Whittimore (*b*).

(*a*) Jour. C. & Assm Novr 5th. The Petition of Robert Traill of Portsmouth in this Province desiring he may have a Patent established by an act of Parliament to brew Strong Beer in the Province &c.; read and sent down.

(*b*) Jour. C. & Ass^{m} Nov. 6th. The petition of Isaac White of Pembrook in this Province representing that the Rev^{d} Mr. Aaron Whitimore recover'd Judgment against the Inhabitants of said Pembrooke, and that the greatest part of the Inhabitants are Presbyterians, & Mr. Whitimore was of the Congregational order, that the Presbyterians were by act of Governm^{t} exempted from paying any Taxes to Mr. Whitimore after they had settled a Minister, that the Taxes can't at present be equally Levied, therefore Prays some suitable persons may be chosen from some other Town to Levy the said Taxes &c. Read & sent down.

[P. 103.] Fryday, Nov^{r} 7th 1766.

Voted, That the acc^{t} of John Marsh for copying two setts of Addresses to the King & Parliament amounting to one pound sixteen shillings Lawful money be allow'd & paid out of the money in the Treasury. Sent up by the Clerk. [Concurred.]

Mr. Sec^{y} came into the House and inform'd that Mr. John Sherburne the member Return'd for the Town of Portsmouth was qualified by taking the usual oaths.

[P. 104.] The Com^{tee} chosen to consider the subject matter of his Excellencys speech made their Report as follows:

The Com^{tee} having met and considered the matter Recommended to them as above agree to Report, That they Judge it proper a vote be passed by the Assembly that Provision be made for an Hon^{ble} Reception of his Excellency John Wentworth, Esq. who as appears by his Excellencys speech above mentioned may be daily expected in the character of our Governor. But as it is at present uncertain whether he will come hither by Land or Water, no particular Direction can be given. It is therefore in General Recommended that a Com^{tee} be chosen and Invested with Discretionary Power to make such Provision as the Circumstances of the case may Require, and which will best comport with the above Direction at the cost of the Province.

Which Report being read and considered

Voted, That the above Report of the Com^{tee} be accepted. That Mr. Speaker, Col^{o} March, Wm. Parker, Esq. Mr. John Sherburne and Meshech Weare be a Com^{tee} of this House to joyn such as shall be appointed by the Hon^{ble} Council to make Provision as above mentioned, who are impower'd to Draw money out of the Treasury as shall be necessary, Rendering acc^{t} to the Gen^{l} Ass^{m}, and that they take the earliest opportunity to pay y^{e} proper compliments to his Excellency on his appointment, & to congratulate him on his safe arrival.

Saturday Nov^{r} 8th 1766.

The House took under consideration the petition of Robert Trail Esq^{r}.

Voted, That the prayer of this Petition be granted, That the Petitioner have the sole & Exclusive Right of Brewing and Vending Strong Beer in a larger Quantity than Twenty-five Gal-

lons at one time within this Province, under a Penalty of forfeiting the value of the Beer so sold, for the term of ten years, Provided he shall carry on the Business with Effect so as to supply y^e^ Demand for it here both with a sufficient quantity and of a [P. 105.] good Quality; But in case of his Default in either of these respects made out to the satisfaction of this House, to be heard and determined by them, upon their vote and Declaration thereof, [the] Act to be pass'd for this purpose to be void, and that the Petitioner have leave to bring in a Bill accordingly. Sent up by Mr. Parker. [Concurred with an amendment.]

The Com^tee^ to Prepare an Answer to his Exc^y^ Speech of the Sixth Instant, laid the following before the House, viz.

May it please your Exc^y^—

The House have considered your Exc^ys^ speech of the 6^th^ Instant and Return you their thanks for the Information it contains and the opportunity given to make the Provision Recommended. They agree in sentiment with your Exc^y^ in the Propriety of Demonstrating their Dutifull Regards to their new Governor by giving him an Honorable Reception. They have accordingly made the best Provision they could Devise considering the uncertainty of the time and way of his Entrance into the Province, by appointing a Com^tee^ of this House with such as his Majesty's Council may joyn Invested with full Power to accommodate matters to the Exigency of the case at the charge of the Province.

Upon this information the House in the Name & Behalf of their constituents would take the occasion to express their gratitude and give you their hearty thanks for all the signal services you have done this Province in the course of your administration and during the long time you have with such Reputation & Honor fill'd the Chair; for the steady Administration of Justice, the quiet enjoyment of Property, the Civil and Religious Liberties and Priviledges his Majesty's good subjects of this Province have experienced and Possess'd during this Period.

That mildness and moderation with which you have conducted the Publick affairs justly Demand our acknowledgements; and we esteem it a Peculiar felicity that by this means under the Divine Providence the Government has long been in a Peaceable state, and a good harmony subsisted among the several Branches; and it will doubtless furnish your Excellency with very pleasing Reflections that you quit the care & Burdens of Government and Resign the Direction of the Publick Affairs of the Province over which you have so long Presided under such an agreeable situation.

[P. 106.] We have only to add, That we sincerely wish your Excellency all the Ease arising from Retirement from Business and the Pleasure Resulting from a Virtuous, Quiet Life. (1)

Voted, That the foregoing Answer and Addresses be presented to his Excellency. Sent to his Exc^y^ by Esq. Wiggin, Doc^r^ Bartlett and Capt. Merrill.

(1) See the character of Gov. Benning Wentworth sketched with much accuracy in Farm. Belk. pp. 336, 337. He died October 14, 1770, aged 74.—Ed.

Tuesday, Nov^{r} 11th 1766.

[P. 107.] The Com^{tee} for telling Money in the Treasury made Report &c. (*a*)

(*a*) Journ. C. & Assem. Nov. 12th. Mr. Carlton from the House bro't up the Report of the Com^{tee} appointed by the General Assembly to tell over & receive from the Treasurer such sums of money as may be in the Treasury to be burnt amounting to £6824: 10 ster^{g} & £11920: 12: 2 N. Tenor with a vote of the House thereon, for receiving the same, & that the money be immediately burnt to ashes in the face of the General Assembly, [concurred and the money burnt agreeable to the acts in the Assembly Chamber.]

[P. 108.] Wednesday, Nov. 12th, 1766.

An act to secure to Robert Trail, Esq., the sole profit and advantage of Brewing and Vending strong Beer in that part of this Province lying on the Northerly and Easterly part of Merrimack River for the term of ten years, having been three times Read.

Voted That it pass to be Enacted.

Thursday, Nov^{r} 13th 1766.

The Treasurer's acc^{ts} with the Report of the Com^{tee} for examining s^{d} acc^{ts} Bro't in and Delivered to the Speaker —

[P. 109.] Voted, That the same be accepted and allowed (*a*).

(*a*) Votes, bills, Petitions, acc^{ts}. &c. passed by the House and concurred by the Council from Nov^{r} 4th to Nov^{r} 14th 1766.

Petition of Stephen Thing of Exeter, to make division of certain lands &c. hearing granted.

Petition of Wyseman Claggett in behalf of James Berry, for a new trial upon an action bro't by Joseph Berry, hearing granted.

James Stoodley Esq. allowed £5: 0 for expenses supply'd at the Rejoicing for the Repeal of the Stamp Act.

(*b*) Jour. C. & Assem. Nov^{r} 14. The Committee of Council appointed to Draft an Address to his Excellency the Governor exhibited their Draft which being Read & ordered to be Engross'd & sign'd by the Secretary, & Order'd that the Hon^{ble} Mr. Nevin & Livius be appointed & Desirid to wait upon his Excellency with the said Address. (1)

The Sec^{y} came into the House and said he was directed by his Excellency to Prorogue the General Assembly to Tuesday the sixth day of January next at ten of the clock in the forenoon, and Declar'd the Assembly Prorogued accordingly.

Attest. M. Weare, Clr.

(1) The address of the Council to his Excellency cannot be found.—Ed.

The Gen^{l} Ass^{m} was further Prorogued by Proclamation from his Exc^{y} the Governor to Tuesday the 14th day of April, 1767.

Att. M. Weare, Clr.

[p. 111.] Tuesday Ap^{r} 14th 1767.

Some of the members of the Gen^{l} Ass^{m} met according to Prorogation. The Sec^{y} by his Exc^{ys} Direction adjourned the Gen^{l} Ass^{m} till to-morrow 4 o'clock P. M.

[Met — and adjourned from time to time till]

Wednesday, May 6th 1767, P. M.

Mr. Sec^{y} came into the House and by his Exc^{ys} Direction Required the attendance of the Speaker and the House in the Councill Chamber.

Mr. Speaker and the House immediately attended in the Council Chamber.

[The members of his Majesty's Council present, were]

The Excellency the Governor

Theodore Atkinson	} Esqs.	Peter Livius	} Esqs.
Daniel Warner		Jonathan Warner	
James Nevin		Daniel Rindge	
Theod^{e} Atkinson, jun.		Daniel Pierce	
Nath^{l} Barrell		George Jaffrey	

[p. 112.] The President of the Council by his Exc^{ys} Direction Read the following speech, viz.

Gentlemen of the Council and of the Assembly

Being apprehensive that it would be agreeable before your New Governor arrived to settle & adjust all your past concerns so far as shall be in your power, the consideration of those things determined me to meet you on this Prorogation — Therefore I am hoping to be excused from Entring upon any other Business.

B. Wentworth.

Council Chamber in Portsm^{o} May 6th 1767.

[p. 113.] Ordered That the hearing of the sundry petitions appointed to be heard the present session of the Gen^{l} Asse^{m} be put off to the tenth day of the next Siting of the Gen^{l} Ass^{m} after the first day of July next, as his Exc^{y} proposes only to settle affairs which more Immediately concern the government. Adjourned.

Thursday May 7th 1767, A. M.

Whereas it appears by the Treasurers accompts Rendered at the last Settlement that there is an arrearage of the sum of £24: 5 :4 1-2 New Tenor due from the Town of Gosport, and it being made appear that said sum was Intended to have been Remitted on the Petition of the Selectmen of said Gosport in the month of June 1761, Therefore

Voted That said Town of Gosport be discharged from said arrearage, and that the Treasurer be and hereby is Impowered to charge said sum to the Province in his next accompt.

Sent up by Capt. Worthen. [Concurred.]

Voted That Mr. Sherburne, Mr. Toppan and Doc^{r} Giddings be a Com^{tee} of this House to joyn with such as may be appointed by the Hon^{ble} Councill to examine the accompts of the Com^{tee} for Drawing bills on the Agent for this Province at the Court of Great Britain, and make Report to the Gen^{l} Ass^{m} as soon as may be. Sent up by Capt. Worthen. [Concurred and Hon^{ble} Peter Livius, Jona. Warner & Daniel Rindge, Added.]

Whereas two of the Com^{tee} for Corresponding with y^{e} Agent and signing Bills of Exchange are Removed by Death.

Voted, That Mr. John Sherburne with one to be appointed by the Hon^{ble} Council be added to the survivors of the Com^{tee} for Corresponding with the Agent for this Province at the Court of Great Britain, and for signing of Bills of Exchange drawn on said agent. Sent up by Capt. Worthen. [Concurred & Hon^{ble} Daniel Warner [added.]

P. M.

Upon a motion to Determine whether a Supply Bill should now be Passed, the motion was considered and unanimously determined in the Negative. (*a*)

(*a*) Allowances &c. Passed by the House and concurred by the Council May 8th.

For Governor's house Rent one year £50 lawful money.
For Sec^{y} Atkinson, one year, £60 Do.
For Wyseman Claggett, Att. Gen^{l}, £10, Do.
For Thomas Packer, high Sheriff, £4, Do.
For Dr. Langdon, as chaplain £2: 10, Do.
For Rev. Mr. Haven, as chaplain £2: 10, Do.
For Capt. Bell's muster Roll, at Fort Wm. & Mary £217: 7: 3, and supplies at said Fort £6: 0: 9, lawful money.
For Henry Trefethen, for repairing the Gov^{rs} barge, £1: 10: 8, lawful money.
For Wm. Appleton's acct. for book of Records of Sup^{r} Court £2: 11s, law. mon.
For Daniel Fowle, for printing advertisements, &c., £15: 17: 6.
For Eleazer Russell, for postage of Gov^{rs} letters £2: 1: 4 3-4.

[P. 116.] Friday, May 8th, P. M.

Whereas the time of the last appointment of the Recorder of Deeds and Conveyances of Real Estates within this Province expired on the third day of this siting of the General Assembly, which makes it necessary there should be a new appointment, to prevent the said office being shut up, which considering the near approach of the siting of the Inf^r and Sup^r Courts would be very Prejudicial to many of the Sutors there, for preventing of which,

[P. 117.] Voted and Resolved, That Daniel Pierce Esq. be and hereby is chosen, appointed and continued in said office for the term of two months from the third Day of the siting of the Gen^l Ass^m aforesaid, and to the third day of the siting of the Gen^l Ass^m next after the Expiration of said two months, and that he take an oath and give Bond for the faithfull Discharge of that trust, to the Speakers of the House as usual. Sent up by Mr. Parker.

Saturday, May 9th, 1767.

Voted that an order go out for an Inventory to be taken in order for a New Proportion of the Province Tax.

A message from the Board by Mr. Pierce & Mr. Jaffrey, who bro't Down the Act for reviving the Fish Act, and the votes for the Several allowances, to the Sec^y, Attorney Gen^l, Sheriff, Doc^r Langdon, Mr. Haven, Capt. Bell's muster Roll, Mr. Fowle's acct. and Mr. Russell's acc^t. and Mr. Appleton's Acct. and Informed the House, That the Councill were of opinion there should be some alteration made in the Act; that the Penalty was too low, and the time allowed for removing obstructions too long. And respecting the votes for allowances as they were drawn to be paid out of money to be put into the Treasury by the next supply Bill, The Council tho't it reasonable they should be paid out of the money now in the Treasury, as by the Treasurer's information there was money sufficient in the Treasury: And the Treasurer being asked Informed the House that he tho't there was money sufficient to Discharge said allowances and such extra Demands as may be probably wanted. [Alterations made accordingly.]

[P. 118.] Tuesday, May 12th, 1767.

Voted That there be allowed for officers & soldiers wages & Billeting and for wood & Candles for his Majesty's Fort William & Mary from the 25th of March 1767 to the 25th of March 1768, the sum of one hundred Pounds Lawfull money to be paid out of the money by the next supply.

P. M.

[p. 119.] Voted that there be allow'd and paid to the Rev^d Mr. Arthur Brown fifty shillings Lawfull money for his attendance to Pray with his Majestys Councill from the twenty-ninth day of May 1766 to the twenty-ninth day of May 1767, to be paid out of money that is or may be in the Treasury. Sent up on the 13^th^ by Messrs. Sheafe, Giddings & Merrill. (*a*)

(*a*) Jour. C. & Ass^m^ May 14^th^. The Council took under consideration the vote of the House of the 12^th^ Instant for allowing to the Rev^d^ Mr. Arthur Browne Fifty shillings for Praying at this Board from the 29^th^ May 1766 to the 29^th^ May 1767, & observing that the two votes accompanying said vote for an allowance to the Rev^d^ Doct^r^ Langdon & the Rev^d^ Mr. Haven, each the said sum of 50*s* for the same time of attendance; and for as much as Mr. Brown has not within the time afores^d^ officiated more than six months, and that the said Gentlemen might be enabled to receive the same allowances respectively, & this not to be made a president for the future — Concurred the three aforesaid Votes.

Wednesday May 13^th^, 1767, p. m.

[p. 120.] Whereas by an Act pass'd in the year 1764 certain Quakers belonging to Brentwood were exempted from paying a tax laid upon them towards the support of the war, in consideration that they had before contributed their full share or done their proportion of service, which sum amounted in the whole to seven hundred thirty-one pounds Eighteen shillings & ten pence Old Ten^r^ as appears by the Constables List who was to have collected the same, which was ordered to be laid on the rest of the Parish: But as the Parish made it appear they had otherways done their full share & Proportion of Duty and that it would be a great hardship on them to pay it; and as the said sum was assess'd by mistake at the first not knowing the service the persons so exempted had done, which was the reason of the exemption —

Wherefore Voted That the said Parish be also exonerated and discharged from the aforesaid sum and the Treasurer be Discharged from the same & authorized to charge the Province with the said sum in his Account. Sent up by Mr. Webster. [Concurred.]

[p. 121.] Thursday May 14^th^ 1767. a. m.

Voted That Mr. Jacob Sheafe and Richard Jenness Esq. who are appointed to take proper care on behalf of the Province where actions are bro't for escapes out of Prison to Employ Council and conduct said affairs in the course of the Law, Be and hereby are Impowered to draw out of the Treasury the sum of twenty Pounds Lawfull money for the Purpose aforesaid to be accountable for the same to the Gen^l^ Ass^m^. Sent up by the Clerk. [Concurred.]

P. M.

Whereas this House is Informed that John Thomlinson Esq. the agent of this Province in Great Britain is lately Deceased, and as the Bills which the Com^tee for that purpose have drawn for Sterling money payable there belonging to the Province, were Directed to him, but can't be so any longer, and Barlow Trecothick Esq^r having been joyn'd in the agency for this Province, therefore

Voted That the said Com^tee be authorized and are hereby Directed to Draw the Bills of that kind which shall hereafter be drawn by them, upon & direct them to the said Barlow Trecothick Esq. as agent for said Province. Sent up by Lt. Burley. [Concurred.]

[p. 122.] Mr. Livius Bro't from the Board the acc^ts of the Committee for Drawing Bills on the Agent with the Report of Com^tee chosen to examine the same.

The Report of the Committee is as follows.

Province of New Hamp^r.

Portsmouth 14^th Day of May, 1767.

We being a Committee appointed by a Vote of the Councill and Assembly Dated the 7^th Inst. to Examin the acc^ts and vouchers of the Com^tee for Drawing Sterling Bills on the Agent of this Province, have carefully Examined the vouchers and acc^ts of the Chairman of said Com^tee from the Ninth Day of July 1760 to the day of the present date and find the same well vouched and truly cast: that they are equal on both sides, and no Ballance due to or from the Committee, and beg leave so to Report them.

Peter Livius.
Jonathan Warner.
John Sherburne.
John Giddings.

Copy of the acc^t current is on file.

Fryday May 15^th, 1767, A. M.

Voted, That the Report of said Committee be accepted, and that said Committee for Drawing Bills be and hereby are Discharged agreeable to said Report. Sent up by the Clerk. [Concurred.]

The Amount of Bills drawn within the time above mentioned is £3815 : 5 : 4, Ster^g.

[p. 123.] Whereas it is supposed there will be an overplus of sterling money in the hands of the agent of this Province after the payment of the bills of Exchange, which have or shall be drawn for sinking the sterling Bills of Credit, by the Com^tee of this Province thereunto appointed, which overpluss may be serviceable to be drawn out & put in the Publick Treasury, Therefore — Voted, That the said Committee be & hereby are authorised to draw & dispose of Bills of Exchange for the said overpluss sum for the Use of the Province & to put the money they shall thereby receive into the Treasury to be applied as

the General Assembly shall order. Sent up by Capt. Merrill. [Concurred.]

P. M.

Upon a petition of Capt. Samuel Leavitt of Deerfield representing his Difficulties, being in the hand of the sheriff on acc^{t} of a Debt due to the Province,

Voted, That the Treasurer Receive the sum he is now able to pay and take security with surety to pay the Remainder by the first of August next, Upon paying of which the Interest included in the Judg^{t} shall be remitted, and the Treasurer authorized to proceed accordingly. Sent up by Maj^{r} Wright. [Concurred.] (*a*)

(*a*) Votes, bills, allowances &c. passed by the House & concurred by the Council, from May 9th to May 16th 1767.

Petition of Mrs. Ann Pierce, to impower the Judge of Probate to correct a mistake in settling the Estate of Nath^{l} Pierce, dec^{d}, leave to bring in a bill.

Committee to tell over money, in the recess, John Sherburne & Jacob Sheafe.

Treasurer's acc^{t} audited & accepted.

Acc^{t} of Rich. Jenness, allowed £6: 12 Law money.

Bill for supply of the Treasury.

Acc^{t} of Committee for Drawing Bills, Theo. Atkinson, chairman, £169: 13 lawful money, allowed.

Acc^{t} of Wm. Parker Esq. for drawing Acts & £21: 16: 6, allowed, law^{l} money.

Jos. Moulton's acc^{t} for going Express, allowed £1: 16, lawful money.

Saturday May 16th 1767.

Mr. Sec^{y} came into the House and by his Excellency's Direction adjourned the General Assembly to Wednesday the first day of July next at ten o'clock in the forenoon.

Attest M. Weare, Clk.

ADMINISTRATION OF GOV. JOHN WENTWORTH. (1)

His Majesty's Commission appointing his Excellency John Wentworth, Esq. Governor and Commander in Chief of the Province of New Hampshire, was published Saturday, June, ——, 1767.

NOTE BY THE EDITOR.

The Commission from his Majesty, George III^d, to John Wentworth, Esq. as Governor of the Province of New Hampshire, is dated August 11^th, 1766; and is recorded in the Book of Commissions in the Secretary's office, N. H. pp. 43–54. But the printing of it, here, is omitted, for the reason that the language of the Commission, and the powers, authorities and privileges therein conferred, are identically the same (names and dates excepted), as given to Governor Benning Wentworth, in his Commission — which see in full, Vol. VI. pp. 908–913.

[p. 125.] Wednesday July 1^st 1767.

The House met according to adjournm^t & adjourned till

Thursday, July 2^d, 1767.

[Of his Majesty's Council, there were present,
His Excellency John Wentwoth, Esq. Governor, &c.

Theo^d Atkinson	Esqs.	Jonathan Warner	Esqs.
Daniel Warner		Daniel Rindge	
James Nevin		Daniel Pierce	
Theo^d Atkinson, jun		George Jaffrey	
Peter Livius			

A message was sent by Mr. Wiggin, Col^o Goffe and the Clerk to inform his Excellency, That there was a Quorum of the members met.

The Hon^ble Theo^d Atkinson, the Sec^y & Peter Livius Esqrs.

(1) Gov. John Wentworth was a descendant of Elder William Wentworth, one of Rev. John Wheelwright's company at Exeter, 1638, son of Mark Hunking Wentworth, and nephew of the late Governor Benning Wentworth; he was born in 1736, grad. at Harvard College, 1755. At the age of thirty-one he was appointed Governor of New Hampshire and remained in office — acceptable and popular — till the Revolution, when, attaching himself to his Majesty's interest, he was obliged to leave the Province. He gave the Charter to Dartmouth College, 1769. He was a man of large and liberal views, of sound judgment and cultivated taste. He did much to encourage agriculture, cultivating a farm and building an elegant house at Wolfeborough, on the border of the Lake Winnipesauke. He laid out and caused a road to be built, 1771, from Wolfeborough to Dartmouth College.
Leaving New Hampshire, he was appointed Lieut-Governor of Nova Scotia, 1792. He resided at Halifax where he died, April 8, 1820, aged eighty-three.— Ed.

came from the Board and informed the House that they were directed by his Excy to administer the Oaths instead of the oaths of allegiance to the members present. And the oaths were accordingly administered by the Secy to the members Present and then they withdrew.

Mr. Secy came into the House and said he was directed by his Excy to Require the attendance of the Speaker and the House in the Councill Chamber.

Mr. Speaker and the House immediately attended accordingly, when his Excy read his Speech to the Council and Assembly — then the House Return'd to their Chamber.

A message was sent to the Board by Capt. Waldron, Mr. Toppan and Capt. Gidding to Pray his Excely to favor the House with a copy of his Speech.

[P. 126.] Mr. Secy Bro't Down his Excys Speech of this day to the Councill and Assembly. Copy of which is on file.

Governor Wentworth's Speech.

[Copied from MS. Govrs Messages, Vol. III, p. 311.]

Gentlemen of the Council and of the Assembly —

His MAJESTY having been graciously pleased to Honor me with his Royal Commission, appointing me GOVERNOR of this his Province of New Hampshire, which Commission hath been duly published, I embrace the earliest opportunity of meeting the Assembly according to their adjournment, previous to my arrival in the Province; being desirous to afford my concurrence to those Measures that may be necessary for the public service, which will ever meet my diligent attention.

Gentn. of the Assembly —

I have in command from his Majesty to recommend to your earliest consideration the necessary Establishment for the respective officers of the Government, that they may be enabled to execute their duty with Diligence and Integrity; and also to that you provide an adequate honorable and pemanent salary for his MAJESTY'S GOVERNOR in Sterling or Proclamation money, which from its fixed value may not disappoint your Intentions or render them uncertain to the various appointments. The evident Justice and Necessity of these Measures preclude any use in my enforcing them from motives of Policy, although they plainly add fundamental Reasons in confirmation, or of loyal and dutifull Respect to his Majesty, which I am well convinc'd will ever have the greatest weight in your Deliberations.

Upon examination of the different Employments and offices of the Province, it appears an object of importance, to recommend to your wisdom a revision of the Laws respecting Fees, which are at present uncertain, and in some instances unprovided. This cannot fail to obtain your immediate care, as a matter essentially interesting to the public welfare, and in just concern to the servants of the Government who are, and as honest men must be anxious for some rule of right to direct their reward. That you will consult and determine upon this measure from extensive Principles of real and effectual Policy, is my present Recommendation. In these and every other subject of Importance to the Province, you may be assur'd of my readiest and most disinterested concurrence.

Gentn. of the Councill and of the Assembly —

It remains for me to observe that unanimity, Wisdom and application in all your Proceedings will be the best means to compass the great End of your

Consultations, therein preserving the Honor of the Crown, and advancing the unlimited Prosperity of the Province, which are at present the only objects of my Wishes.

J' WENTWORTH.

Council Chamber, Portsmouth,
New Hampshire, 2d July, 1767.

P. M.

Voted, That Mr. Speaker, Capt. Waldron, Mr. Parker and the Clerk be a Comtee to prepare an Address to his Excellency on his appointment to the Governmt and arrival in it; with an answer to his Excys Speech.

John Webster Esqr and Mr. Jona Church who were not present in the forenoon when the Oaths were administered to the members, appear'd in the House; whereupon a message was sent by the Clerks to acquaint his Excellency of their being present and not Sworn.

[They were accordingly called to the council chamber and took the usual Oaths, also Capt. Henderson from Dover.]

[P. 127.] Saturday, July 4th 1767.

Voted That there be and hereby is granted to his Excellency John Wentworth Esqr our Governor, the sum of three hundred Pounds Lawfull money towards defraying the Expence of his voyage in coming to us; and the House pray his acceptance thereof, and the Comtee for Drawing Bills of Exchange &c. are hereby Directed to Draw a Bill equal in value to that sum Payable to his Excy accordingly. Sent up by Capt. Carlton, Capt. Worthern, Mr. Jenness & Docr Bartlett. [Concurred.]

Voted, That Mr. Sherburne and Mr. Sheafe be added to the Comtee for preparing a Table of fees in the Recess of the Court.

The Comtee for Preparing an answer to his Excys Speech at the opening of the present Sessions presented to the House a Draft of an answer which was read and is as follows:

May it please your Excellency —

The House of Representatives have considered your Excellency's Speech at the opening of this Session and return you our sincere thanks for your care of the Publick service discovered by such an early meeting of the Assembly, [P. 128.] after such a long tedious and fatiguing voyage and journey as you have had to your Government, (1) and giving us an opportunity to attend to the Business immediately necessary to be transacted. Your expressions and assurance of a Ready concurrence in that regard with those measures we shall pursue to the end, Deserve our thankfull notice & acknowledgment.

We acknowledge the Propriety & Reasonableness of our early and speedy

(1) Dr. Belknap says, "Having received his Commissions as Governor of New Hampshire and surveyor of the King's woods in North America, Mr. Wentworth sailed from England, and arrived at Charlestown in South Carolina March 1767. Thence he travelled through the continent, registering his Commission of Surveyor in each of the Colonies, and was received at Portsmouth June 13, with every mark of respect and affection."— ED.

attention to making an adequate & honorable support for his Majesty's governor in money of a fixed value, and the Lawfull money of this Province by a Law of the Province is now well ascertained and fixed. There is likewise the strongest reason from every just principle of Government for establishing the fees of all the officers of the government, which has been several times under the consideration of this and former Assemblys, but the former fluctuating state of the currency made the business difficult. Silver and gold currency have been established, we have made some progress in preparing a suitable table of fees, but have not yet been able to accomplish it.

As the present season of the year with the peculiar Difficulties attending at this time render our attendance to these important affairs impracticable so far as to effect the same, we are necessarily obliged to pray your Excellency to suspend the business for such a short time as the present state of our Husbandry requires.

Voted, That the foregoing be presented to his Exc^{y} as an answer to his speech at the opening of the Present Session.

The Committee also presented to the House the form of an Address to his Excellency which they had prepared, which was read and is as follows:

May it Please Your Excellency —

[P. 129.] The Representatives of his Majesty's Loyal and Dutifull subjects of the Province of New Hampshire concur in the General joy diffused thro' the same on the happy event of your safe arrival among them. Penetrated with the most lively sense of his Majesty's Paternal Regard to them in the appointment of Your Excellency to the chief seat of Government here, they make their most gratefull and humble Acknowledgments.

Your well known Benevolent Disposition and other amiable qualities exhibited in private life, your abilities and inclination to Discharge the Special Duties of your exalted Station, with the connection usually arising from birth, education and fortune in the same place, gives the most sanguine Hopes that this Province will always have a strong interest in your esteem and affection. Your knowledge of the British Constitution and form of Government, and the high esteem you have always had for it, the remarkable opportunity you have had of hearing every Branch and part of it pass the most critical Examen that any age has ever seen, as it furnished a more intimate acquaintance with the extent and limits of every part, has we doubt not enhanced your esteem of this Constitution.

We would also gratefully remember the eminent service you rendered this Province as an Agent at that critical conjuncture of affairs when it was threatened and in danger of irreparable Burthens; and in the Name and behalf of our Constituents return our sincere and hearty thanks.

The Result is — The most pleasing hopes that the civil and Religious liberties of the People under your Government will always find Protection and safety thro' your whole administration; and more especially as they have hitherto preserved the character of quiet, loyal and dutifull subjects, firmly attached to her Majesty's person and government, and we flatter ourselves they will never forfeit that character; that they will be always disposed to demonstrate the truth of their profession by paying that honor and Duty to his Representative here which his character and station demand, and especially to your Excellency whose advancement is follow'd with the highest satisfaction and acquiescence: We therefore congratulate you, Sir, upon the Honor and trust his Majesty has confer'd on you and on the other propitious attending circumstances.

We add our earnest Desires that the General complacency appearing on this occasion may continue during the whole time of your Administration, and *that* be long prosperous and happy to yourself and all under your care and charge.

[P. 130.] The foregoing Address being read

Voted, That it be forthwith presented to his Excellency by a Committee of the whole House.

The House accordingly waited on his Excellency and presented the foregoing Address, and also delivered him the answer to his speech at the opening of the session.

His Excellency was pleas'd to send the following answer to the Address.

To the Assembly of Representatives of the Province of New Hampshire.

Gentlemen — Those pleasing marks of duty and Regard discover'd in your loyal and affectionate Address, urge from me a grateful acknowledgment of of the great pleasure I received and the very high sense I entertain of them. If anything can add satisfaction to those honorable sentiments, with which I received his Majesty's commands, it is the respectful Loyalty, affection, duty, peace and good order prevailing in the people of this Province, which at the same time that it evinces the sincerity of their attachment to the best of Sovereigns, and love of our excellent Constitution, is the only means to effectuate their happiness, and to encourage a Reasonable hope of the lasting prosperity and welfare of the Province.

It shall be my unremitted care to verify the steadiest attachment to every object that so eminently distinguishes my Duty to the King and the preservation of the just rights of his people.

The favorable opinion you are pleased to entertain of me, impresses that regard on my mind, which the important hopes it has given birth to demand.

If my country has received any benefit from my faithfull endeavours to discharge the trust it honor'd me with, your thanks are a pleasing Reward and a powerful incentive still to pursue its true interests.

J' WENTWORTH.

[P. 131.] Mr. Secretary came into the house and by his Excellency's Direction adjourned the General Assembly to Tuesday the eighteenth day of August at ten o'clock in the forenoon.

Attest, M. Weare, Cler.

Tuesday, Augst 18th, 1767.

Met according to adjournm^{t} & adjourned till

Wednesday, Augst 19th, 1767.

[Of his Majesty's Council, there were present]

His Excellency JOHN WENTWORTH, Esq^{r} Gov^{r}.

Theodore Atkinson	}	Peter Livius	}
Daniel Warner		Jonathan Warner	
James Nevin	} Esqs.	Daniel Rindge	} Esqs.
T. Atkinson, jun.		Daniel Pierce	
Nathaniel Barrell	}	Geo. Jaffrey.	}

Mr. Sec^{y} and Mr. Livius came into the House from the Board, and the Sec^{y} inform'd the Speaker that the oaths of allegiance and

the abjuration (1) as appointed had not been administered to the [p. 132.] members and that they were Directed by his Excellency to administer the Oaths, &c.

Accordingly the Oaths and abjuration were taken and subscribed by the members.

The House adjourned till 3 o'clock.

P. M.

[The same oaths administered to Capt. Waldron, Col° Barr, Maj^r Wright, Mr. Webster, Doc^r Hale, Mr. Knowles & Col° Goffe, who were absent in the morning.]

A message was sent to the Board by Capt. Giddings and Doc^r Bartlett to enquire for the Excise Bill Passed in this House and sent to the Board in Jan^y 1766, and to Desire said Bill may be sent to the House.

Mr. Sec^y came into the House and inform'd the Speaker that the Excise Bill sent up for was not in his office; he had searched for it and could not find it.

. . . . . .

[p. 133.] Fryday, Aug^st 21, 1767.

The House took under consideration the Dividing the Province into Countys and Referr'd it to a Com^tee to Report how many Countys would be best for the Province to be divided into. Said Com^tee having considered the matter Reported that they Judged it would be best the Province should be divided into four Countys; which being considered it was put to vote Whether the Province should be Divided into four Countys and it passed in y^e affirmative.

P. M.

[p. 134.] An act for granting unto his Majesty an Impost on Spirituous Liquors which shall be Imported or Bro't into this Province and be consumed here, and an additional Excise on Spirituous Liquors sold in lesser Quantities than twenty-five Gallons to be delivered at one time: Having been read three times,

(1) *Oath of abjuration*; "an oath asserting the right of the present royal family to the Crown of England, and expressly disdaining such right in the descendants of the pretender."—*Web. Dic.*

The following is the Form of said Oath:

I, A. B. do, in the sincerity of my heart, assert, acknowledge and declare, that his Majesty King *George* is the only lawful and undoubted Sovereign of this Realm, as well *de Jure*, that is, of Right King, as *de Facto*, that is, in the possession and exercise of the government. And therefore I do promise and swear, That I will with heart and hand, life and goods, maintain and defend his Right, Title and government, against the Descendants of the person who pretended to be Prince of *Wales* during the Life of the late King James, and since his Decease, pretended to be, and took upon himself the stile and Title of King of England, by the Name of *James* the Third, or of Scotland by the name of *James* the Eighth, or the stile and Title of King of *Great Britain*, and their adherents, and all other Enemies who, either by open or secret attempts, shall disturb or disquiet his Majesty in the Possession and Exercise thereof. Geo. III., ch. 53, 1766. — Ed.

Voted That it pass to be Enacted. (*a*)

(*a*) Jour. C. & Ass^{m}, Aug. 24. Upon reading the Act for laying an Impost & an Excise on Spirituous Liquors &c. as past in the House the 21st Instant, and many things therein wanting an explanation, which the Council think would be better explained by a Conference between both Houses than by written votes,

Resolved, That the Assembly be offered a Conference on the subject matter of the said Bill & desired to appoint the time, and that the Honorable Mr. Secretary, Mr. Livius & Mr. Rindge acquaint the House therewith.

Mr. Sec^{y} and Mr. Livius came from the Board and administered the Oaths to Col^{o} Wentworth and Capt. Carlton.

Saturday, Augst 22^{d} 1767.

Voted, That there be paid to his Excellency John Wentworth Esq. our Governor out of the money in the Treasury the sum of seven hundred Pounds Lawfull money for one years salary as [p. 135.] Governor Commencing the thirteenth Day of June last to be paid half yearly & also the sum of sixty-seven pounds lawful money for house rent for the same time, and that his Exc^{y} be desired to Draw [out] the amount of the Treasury accordingly with advice of Council.

Sent up by Col^{o} Barr, Col^{o} Wentworth, Maj^{r} Downing and Doc^{r} Bartlett & Col^{o} Goffe. (*a*)

(*a*) Jour. C. & Assm, Aug. 24th. The Council took under consideration the vote of the House of the 22^{d} Inst. relative to the grant proposed for his Excellency's Salary, & observing it meantime for one year only, and also (2ndly) that the Fund or Security out of the money in the Treasury is too uncertain, which as this proposed Grant differs widely from the method of Grants made to former Governors,

Resolved, That the Honorable Theodore Atkinson, James Nevin & Jona. Warner Esqrs. be appointed to put the Assembly in mind of the difference, & to acquaint them that the Board tho't it expedient before they acted upon the said vote, to send this message, That if the Assembly thought proper they might make any alteration before it was laid before his Excellency.

Whereas it has been long complained of as a great Grievance that this Province considering its Extent and figure was not Divided into Counties, but all publick Business transacted at Portsmouth, the situation of which in being at one corner of the Province occasions great expence and charge to the Inhabitants of many other Places, Especially to those who live in the Remoter parts of the Province and often occasions Delays in many Publick affairs by the interfering of one with another, and the Disability of Persons to attend at so great Distance as is often necessary in the Proper time and season required;

Therefore Voted, That this Province be divided into four Counties, the first of which to be bounded Southerly and South East-

erly by the Sea, then by a line Running up Piscataqua River and running in the Westerly branch thereof up the great Bay, & Exeter River to the line between Exeter and Stratham, then by that line till it comes to the line between Exeter and Hampton-falls to Kensington, and then to Run between that and Kingstown line, and then by that to South Hampton, and by the line between South Hampton and Hampton-falls to the Sea, with that part of the Isles of Shoals which lies in this Province.

That the Second County be Bounded as follows, viz. Westerly by a line Running between New Markett and Durham & continued between Durham and Nottingham and between Nottingham and Barrington, and between Chichester and Barnstead & Between Gilmanton & Canterbury to Winnepissioke River, then Down said River to Pemigawassett River, then up said River to Baker's River, then up the South Branch of said River to the head thereof, then on a strait line to Connecticut River on the South side of the Town of Orford, all on the North and Northeasterly side of said Line to be within the Second County.

The third County to be Bounded as follows, viz. Easterly and Southerly on the Province of the Massachusetts Bay, Westerly on Merrimack River and on Winnipessioke River till it comes to the line of the Second County, then Bounding Northeasterly on the Second County.

The fourth County to contain all the land on the Westerly side of Merrimac River lying in this Province not contained in the other Counties.

[P. 136.] And that Col. Weare, Col. Wentworth and William Parker Esq^rs be a Com^tee of this House to joyn Such as shall be appointed by the Hon^ble Councill to bring in a Bill to this purpose.

Sent up by Mr. Wright, Capt. Worthen and Capt. Chamberlin.

Monday, Aug^t 24^th 1767.

A message was sent to the Board by the Clerk to inform them that Tho^s Bell, Esq^r the member from Newcastle was now in the House and had not taken the oath and to desire that he might be qualified.

The Sec^y came into the House and inform'd the Speaker that the member from New Castle had taken the Oaths.

Voted, That Mr. William Parker Esq. Mr. John Sherburne, Mr. Jacob Sheafe, Richard Jenness Esq. & Meshech Weare be a Committee of this House to joyn with such as shall be appointed by [P. 137.] the Hon^ble the Council to prepare a Table of Fees to be laid before the General Assembly for their approbation as soon as may be. Sent up by the clerk. [Concurred and Hon^ble Theo. Atkinson, Col. Warner, Mr. Warner, Mr. Rindge & Jaffrey added.]

The Hon^ble Col^o Atkinson, Mr. Nevin & Mr. Warner came from the Board and Informed the House that upon considering the House's vote for the Governors Salary the Councill tho't that it was very different from former allowances to Governors, as this vote was for one year only, whereas heretofore it had been settled during the Administration, and also Provision had been made in the Act for settling the Salary for a Fund for Paying the same. But in the present vote it was only said to be paid out of the money in the Treasury: And the Councill apprehended that by the King's direction for settling a permanent Salary, something further was necessary in these Respects than was contained in the Vote of the House. So they proposed the matter to the further consideration of the House before the Councill Passed upon it to lay it before the Governor. (*a*)

(*a*) Jour. C. & Assm. Aug. 25^th P. M. His Excellency laid before the Board & ordered the Sec^y to read his Majesty's 5^th & 11^th Instructions, viz.

5th and 11th Instructions.

5^th. Our Will and Pleasure is that you permit the Members of our said Council to have & Enjoy freedom of Debate & vote in all affairs of Public concern that may be debated in Council.

11^th. And Whereas we are sensible that effectual care ought to be taken to oblige the members of our said Council to a due attendance therein in order to prevent the many inconveniences that may happen for want of a Quorum to transact business as occasion may require; It is our Will and Pleasure. That if any of the members of our said Council residing in the Province shall heareafter absent themselves from the said Province and continue absent above the space of twelve months together, without leave from you as the Commander-in-chief of our said Province for the time being, first obtained under your or his hand & Seal, or shall remain absent for the space of Two years successively without leave given them under our Royal Sign Manual, their place or places in the said Council shall thereupon become void; and that if any of the members of our said Council residing in our said Province shall hereafter wilfully absent themselves from the Council Board when duly summoned without just and lawful cause, & shall persist therein after admonition, you suspend the said Councillors so absenting themselves till our further pleasure be known, giving timely Notice thereof to us by one of our Principal Secretaries of State & to our Commissioners for Trade & Plantations for their Information. And We do hereby Will & Require you that this our Royal Pleasure be signified to the several Members of our Council aforesaid, & that it be entered in the Council Book of our said Province as a Standing Rule.

[P. 138.] Wednesday Aug^st 26, 1767.

Mr. Sec^y and Mr. Levius came from the Board and inform'd the House that the Councill had many difficulties about passing of the Excise Bill and Desir'd a conference of both Houses.

Col^o Weare, Wm. Parker Esq. & Mr. Sherburn were sent with a verbal message to the Board in Answer to the verbal message

of yesterday delivered by the Hon^ble^ Col^o^ Atkinson, Mr. Nevin & Mr. Warner: That the Report that the Gov^r^ will be provided for very soon by the application of part of the Revenue arising by the Customs (which his Excellency seems to think probable) was one motive to the House to pass the Grant in the form it was sent up to the Board; That the House has been inform'd that his Excellency himself did not desire such a settlement as should amount to that heretofore claim'd by virtue of Instructions, for that at his Request such an Instruction had been omitted; That the settlement on the late Governor was only partial by the payment of a certain sum out of the Excise, the rest was contingent and temporary and depended on grants of the Assembly from [P. 139] year to year; That the House would not be unwilling to give his Excellency the utmost assurance of their inclination to grant him an Hon^ble^ support according to the circumstances of the Province which they hope will grow so much better as to Enable them to make additions, but think it would be best to suspend the laying it on any certain fund, had they any such established, till the matter first hinted is ascertain'd, and in case that scheme should not be carried into execution the House wou'd be willing to apply the Excise as it has been heretofore done or in a manner more effectual.

P. M.

Mr. Sec^y^ Bro't from the Board the following Resolve, viz.

Province of New Hamp^r^

In Council 26^th^ Aug^st^ 1767.

Resolved Unanimously, That a Division of this Province into more than two counties would at present be inexpedient and attended with very great Expence and a very heavy and unnecessary Burthen on the People.

And whereas the Inhabitants of the western parts of the Province are at a very great expence and Difficulty in travelling to so great a distance from their own homes and in attending their business at the Courts, which Inconveniences it is just and necessary to Remove—

It is therefore Resolved, That the Province be divided into two Counties, and that the line of Division be as follows, viz, To begin at the sea side three miles North of Merimack River where the Province line begins and to follow the said line to Merimack River, then to ascend the same to the place where Bow line crosses the said River, and to follow the line of said Bow on the westerly side of s^d^ River till they return to the River, then to ascend the same to the mouth of Pemigawassett River and up the same to the mouth of [P. 140.] Baker's River and up the same to the head thereof, and from thence over to Connecticut River on the south side of the Town of Orford; All on the South and West of said Line to be in one County, and all on the North and East thereof in the other County, unless it should be thought convenient that the towns of Nottingham West, Litchfield & Derryfield be included in the Western County, in which case the line is to Run on Eastern or North-eastern side of the said Towns on the whole length of them. And the Hon^ble^ Daniel Warner, James Nevin and Nath^l^ Barrell Esq^rs^ are appointed a Com^tee^ to joyn with such as shall be appointed by the Hon^ble^ House to prepare & bring in a Bill or Bills to effectuate the Design.

T. Atkinson, jun. Sec^y^.

A message was sent to the Board by Mr. Parker to acquaint them that the House would attend the proposed Conference [on the Excise] tomorrow ten o'clock in the forenoon.

Thursday, Augst 27, 1767.

The House took into consideration the Petition of Isaac White of Pembroke Representing that there were great difficulties in making an assessment of a Sum of money the s^{d} Town is obliged to raise, and Praying for some method by which they might be aided, by some indifferent persons being appointed.

[p. 141.] Voted That the Prayer of the Petition be granted and that the Petitioner have liberty to Bring in a Bill accordingly. Sent up by Mr. Underwood. [Concurred.]

The Resolve of the Councill respecting the Dividing the Province into two Counties only was taken into consideration, and it was put to vote whether the House would comply therewith, and it passed in the Negative.

P. M.

This afternoon the House had under further consideration the Dividing the Province into Counties.

Fryday, Aug. 28th 1767.

The House took under consideration the Petition of the Inhabitants of Gosport and others for a Lottery to Erect a Pier in the Said Town, which appearing Reasonable and no objection made,

Voted, That the Prayer of the Petition be granted, and that the Petitioners have liberty to bring in a Bill accordingly. Sent up by Capt. Gidding. [Concurred.]

[p. 142.] The Hon^{ble} Daniel Pierce Esq. Bro't from the Board a Petition of the Selectmen of Bow representing a Difficulty in making a Certain Assessm^{t} and praying Relief. (*a*)

(*a*) Jour. C. & Ass^{m}, Aug. 27th. The Petition of the Selectmen of Bow in behalf of themselves and the inhabitants of said Bow, exclusive of such as are set off into Parishes, Representing that they are greatly distressed by being taxed by the Parish of Concord &c. & Praying relief. Read. (1)

The House taking into consideration the Dividing the Province into Counties came to the following Determination, viz.

Whereas a vote lately pass'd in this House for Dividing this Province into four Counties the limits of which were express'd in the vote which this House apprehended would be agreeable to

(1) See Bouton's Hist. of Concord, p. 245.— Ed.

& most convenient for the People, But the Hon^ble his Majestys Council supposed it would be attended with too great changes and did not concur with said vote, But voted that the Province should be divided into two counties only, making Merrimack River the Dividing line; This the House have duly considered and find it would not answer the End proposed by Dividing the Province into Counties, which is the Ease of the People in General, which in the case of two Counties only would be very little to a great part of the Province.

Upon Reconsidering this matter the House who (with great Reluctance) find themselves under a necessity of Differing in opinion from the Hon^ble Council, which they conceive arises from their more intimate knowledge of the minds of their constituents, their concerns & connections than the Council can be Reasonably supposed to have, and on this Principle only they are induced to Dissent from the vote for two Counties only, and to prove their Desire to agree with the Council as far as is consistent with their Duty to those they represent, They are willing to Divide into three Counties only, since their first Proposal is not acceptable: Therefore

[P. 143.] Voted, That this Province be divided into three Counties, the several Courts both the Sup^r and Inferior Courts to be held in the several Parts of each County in such places as will best Accommodate the Inhabitants as shall be agreed upon by the General Assembly. The Bounds of the Counties to be as follows, viz.

The first County Bounding Northerly by Piscataqua River at the mouth thereof, and up the River to the line between Durham and New Market, and by that line and the line between Durham & Nottingham & between Nottingham & Barrington, And between Chichester and Barnstead, and between Gilmanton & Canterbury to Winnipisiokee River, then down said River into the Merrimack River and down the same to the dividing line between this Province and the Massachusetts Bay, then Easterly following the said Dividing Line to the Sea, then by the Sea to the mouth of the Piscataqua River where the Bounds began, with that part of the Isles of Shoals which lies in this Province.

The second County bounding Southerly by the Northerly line of the first County to the mouth of the Pemigawassett River, then up said River to Bakers River, and up the same to the head of the south Branch thereof, then on a strait line to Connecticut River on the south side of the Town of Orford: All on the North or Northerly side of said line to belong to the second County.

The third County to contain all the land on the westerly side Merrimack River lying in this Province not contained in the other Counties.

And that Col° Weare, Col° Wentworth & William Parker

Esqs. be a Com^tee of this House to joyn such as shall be appointed by the Hon^ble the Council to bring in a Bill for this purpose.

Sent up by Mr. Webster, Doc^r Bartlett & Capt. Worthen. [Non-concurred.]

[P. 144.] Saturday, Aug. 29, 1767.

Mr. Sec^y Bro't down from the Councill the following Resolve, viz.

Province of New Hampshire

In Council, 28^th Aug. 1767.

The Councill having read and Considered the vote of the Hon^ble Assembly concerning the Division of the Province into three Counties, they are of opinion that the Second County as proposed can answer no good purpose, the whole of the said County excepting old Dover, Rochester and Barrington consisting of entirely new settlements, in no circumstances to support the very heavy expence of a new County, but at present rather requiring assistance for their own individual support; and they are of opinion that a very Small part even of the three Towns mentioned will be any way served or accommodated by the said proposed County, and this Small part is so near the present Seat of Justice as not to Require a Division. The Council are therefore of opinion that it should for the present Remain with the first County, and it is accordingly,

Resolved, to adhere to our former Resolves, And it is Recommended to the Hon^ble Assembly Seriously and compassionately to consider the people on [P. 145.] the Western side of Merrimack River whose remote Situation so evidently calls for it, and to suffer them to be sett off in a Seperate County.

T. Atkinson, jun. Sec^y.

To which Resolve the House Sent up the following Answer, viz.

The House having Read and considered the Resolve of the Hon^ble Councill of the 28^th Instant, are of opinion that Dividing the Province into less than three Counties will by no means accommodate the People of the Several parts of the Province for their ease and benefit in transacting their necessary business: and we are fully sensible nothing less will give them satisfaction; and this being a point in which their Interest and conveniency is more especially concerned, and has long been the peculiar object of their attention and Expectation, we think their minds herein ought in the main to be the Rule of our conduct, & therefore we cannot Determin on any other manner of Dividing into less than three Counties & on any lines at present which will be so equal as those already proposed by the House: That the advantage to the Several parts of the Province by their Division will be far greater than the additional Burthen to which the People themselves are very willing to submit, and their Representatives must be suppos'd best to understand as well as their necessities and abilities whose opinion herein they must be supposed to know, and when that coincides with their own they are obliged both in

Duty & Policy to pursue; Therefore they are obliged to Resolve, and it is hereby Resolved to adhere to the Vote of this House for Dividing the Province into three Counties, sent to the Board yesterday. Sent up by Majr Wright, Docr Bartlett & Docr Thompson.

[P. 146.] Tuesday, Sept. 1st, 1767.

The Secy and Mr. Livius bro't from the Board the following Resolve, viz.

Province of New Hampshire

In Council 1st Sept. 1767.

Whereas it appears convenient and necessary that the Province be Divided into Counties forthwith,

[P. 147.] Resolved, That the Honble Colo Atkinson, Colo Warner & Peter Livius Esqs be a Comtee of Council to joyn with such as shall be appointed by the Honble House to consider and Report the best and most expedient methods of effecting it.

T. Atkinson jun, Secy.

Wednesday, Sept. 2d, 1767.

[P. 148.] The Resolve of the Honble Councill appointing a Comtee to joyn with a Comtee of the House to consider and report the most effectual method for dividing the Province into Counties being taken into consideration,

Voted, That Docr John Giddings, Richard Jenness Esqr. & Meshech Weare be a Comtee on the part of this House to joyn with the Comtee chosen by the Honble Councill for the purpose above mentioned. Sent up by Mr. Wiggin.

Mr. Livius came from the Board and informed the Speaker that the Comtee of Council were ready to confer with the Comtee of the House.

The Comtee of the House accordingly went up immediately to the Council Chamber.

Thursday, Sept. 3d, 1767.

An act for appointing Persons to make an Assessment on the Polls and Estates of part of the Inhabitants of Pembrook for Reasons therein Declared, having been read three times

Voted That it pass to be enacted.

Sent up by Mr. Church, [concurred and passed.]

Voted, That Majr Downing, Docr Giddings, Docr Bartlett, Docr Thompson and Docr Hale be a Comtee to look over the Laws to find what fines there are therein and for what they were imposed and in what year and to make a list of the same to lay before the

House as soon as may be in order to Determine on some Rule which may be equitable for regulating them.

[p. 149.] Mr. Sec^{y} and Mr. Jaffrey came from the Board and informed the Speaker that the Councill had considered the Act for laying an Impost & Excise and could not pass it.

P. M.

A message sent to the Board by Doc^{r} Giddings & Capt. Chamberlin to Desire the Excise & Impost Act (which the House was informed in the forenoon was not past by the Councill) might be sent into the House.

Mr. Sec^{y} bro't from the Board the act for an Impost & Excise. sent for by Doct^{r} Giddings & Capt. Chamberlin.

Fryday, Sept. 4th, 1767.

Mr. Parker, Capt. Waldron & Meshech Weare were appointed by the House to wait on his Excellency and confer with him about taking the Excise for his Salary for the present year — who accordingly waited on his Exc^{y} and returning Reported to the House that his Exc^{y} was willing to take it.

[p. 150.] Saturday, Sept. 5th 1767.

A message was sent to the Council by the clerk to Enquire whether the vote of the House for Dividing the Provinces into three counties was pass'd upon, and if not to Desire the Council would pass upon said vote as soon as may be.

Mr. Sec^{y} came from the Board and Informed the Speaker, That the Vote of the House of the 28th Augst last for Dividing the Province into three Counties had been considered by the Council and it was non-concurred by the Council for several Reasons.

[p. 152.] Thursday, Sept. 10th, 1767.

The House took into further consideration the Dividing the Province into Counties and came to the following Resolve, viz.

In consideration of the Disagreement there has been between the Hon^{ble} his Majesty's Councill and this House respecting the Division of this Province into Counties, and it having been supposed that three Counties would be most agreeable, Therefore

Resolved and voted, That Col^{o} Barr, Thomas Westbrook Waldron, Esqr., Mr. John Giddings, Col^{o} Moulton, Esq. and Mr. John Sherburne be a Committee of this House to joyn with such as shall be appointed by the Hon^{ble} Councill to consider of and settle

the most convenient Lines of the Division of said Counties and the most convenient times and places for holding the respective Courts, viz. The Sup^r Court of Judicature, the Inf^r Court of Common Pleas and Court of General Sessions of the Peace within each County and make Report to both Houses as soon as may be. Sent up by Doc^r Thompson.

[P. 153.] Fryday Sept. 11^th 1767.

Whereas by an Act Pass'd in the Present Session of the General Assembly the Excise on Spirituous Liquors granted by an Act Pass'd in the fifth year of his late Majesty's Reign Intitled an Act for granting unto his Majesty an Excise on Several Liquors as settled and fixed in Lawfull money of this Province with some additional Paragraphs to enforce a due & Regular payment thereof to prevent fraud & Deceit in settling without paying Excise, by private sales without License, by which a great loss happens to the Government: Therefore

Voted That Col^o March, Mess^rs Jacob Sheafe & John Sherburne be a Committee of this House to join with such as the Governor & Councill shall appoint to farm the said Excise to a Receiver or Receivers as they shall judge Best to be commissioned by the Governor to make a faithfull collection thereof and authorized to prosecute any offenders against the Laws in this case provided, & that the money arising thereby be put into the Province Treasury to be applied to the uses of the Government as the Governor Council & Assembly shall order; that this selling or farming said Excise shall be for one year only Commencing the first Tuesday of Sept. Inst. to the first Tuesday of September next.

Mr. Sec^y Bro't from the Board a Resolve in Councill respecting Dividing the Province into Counties, which is as follows, viz.

Province of New Hamps^r.

In Council Sept. 10^th 1767.

The Board having some time since tho't a Division of this Province into Counties not only Reasonable but necessary as it would in a great measure prevent the Extraordinary travil and Expense attending the Inhabitants on the western frontiers of this Province when required to attend on Publick business at Portsmouth, &c. And forasmuch as all attempts hitherto made by the Councill to accomplish this salutary End having proved ineffectual, [P. 154.] and tho' the Councill are still of opinion that Dividing the Province into two Counties only (at present) would better accommodate the Inhabitants in general & be attended with greater utility than any further Division; But as these repeated votes & Resolves of this Board have unfortunately met with the Disapprobation of the Hon^ble the Assembly who have Voted the Province should be Divided into Three Counties & seem still to adhere to their Votes; however, to shew the Inclination of this Board to join in any Measure that will have the least Tendency to alleviate the hardships & Expence above mentioned and that these good Purposes may be drawn into Execution,

Resolved That the Province be at present Divided into Three Counties, by the following Bounds, viz.

The first County to Begin at the Province Line near the fort Point at the Entrance of Piscataqua River, from thence running south westerly (including those parts of the Isles of Shoals that lie within this Province) to the Province line, then running westerly as the said line runs till it comes to the westerly part of Hamstead, then to turn Northerly & run between Hamstead and Londonderry, then between Chester & Kingston & between Exeter & Nottingham, between Durham & Barrington & between Dover and Rochester to Salmon falls River, then Down the said River and Piscataqua River to the Bounds begun at. The other two Counties to be divided by a line thro' Merrimack River where it crosses the Province line & from thence up the said River to the line of Bow, then to follow the lines of Bow on the west side of the River till it comes to the said River again, then up said River to Pemigewasset River to the mouth of Bakers River & up the same into the South Branch thereof, and to the head thereof and from thence on a strait line to the Southwesterly corner of the town of Orford on Connecticut River, with liberty to add the Towns of Nottingham West & Litchfield to the Western County if tho't convenient.

Read, voted & ordered to be sent down to the Hon^ble^ Assembly for concurrence.

T. Atkinson, jun. Sec^y^.

The House adjourned till 3 o'clock

P. M.

Whereas this House sent up the Hon^ble^ his Majestys Councill a vote of the 10^th^ Instant for Dividing the Province into Three Counties and appointed a Com^tee^ to joyn such as the Council should appoint to consider of the most convenient Lines or Boundaries of each County and the most suitable times and places for holding the Courts of Justice in each, viz. The Sup^r^ Court of Judicature, the Inf^r^ Court of Common Pleas and Court of General Sessions of the Peace, and to make Report to both Houses as soon as might be, since which, viz. in the forenoon of this day the House have Receiv'd a vote and Resolve of Council for Dividing the Province into Three Counties by the several [p. 155.] lines therein set forth, but no notice is therein taken of the Proposal of the House in their said vote of choosing a Com^tee^ of both Houses to fix upon the most convenient lines and to consider of the times & places in each County for holding the said Courts, which induces the House to suppose that the vote of Councill aforesaid was form'd and pass'd before the said vote of the House was sent up; Wherefore as the House conceive the limits of the Counties as proposed in the said vote of Councill might be amended and made much more convenient for the People Especially as to the second or middle County, and that the other matter relative to the Courts is a matter necessarily connected with the Incorporating and constituting of Counties, Therefore

Voted, That the Councill be and hereby are requested to consider of and concur with said vote of the House. Sent up by Mr. Toppan.

An Act for ascertaining the Excise granted on Spirituous

Liquors retailed in this Province by an Act passed in the fifth year of George the Second in Lawful money, and for preventing fraud and Deceit by avoiding discovery of what is retailed, and enforcing the due and Regular payment of such Excise, having been three times read,

Voted that it pass to be enacted. Sent up by Mr. Toppan.

Mr. Sec^{y} bro't from the Board the following Resolve of Councill, viz.

Province of New Hampshire, Sept. 12th 1767.

The Council having read and considered the Vote of the Hon^{ble} Assembly of the 10th Inst. and their subsequent Vote of the 11th they are of opinion that it is not and never was agreeable to the Council to Divide the Province [P. 156.] into more than two Counties, as they are Persuaded a further subdivision will (at present) be unnecessary & burthensome, yet desirous of removing as far as they consistently can all obstructions to a perfect agreement and good Harmony between the two Houses, the Council sent down the 10th Inst. a Resolve for a Division into three Counties, which Resolve was pass'd before the vote of the House of the 10th Inst. was sent up and as it appears that the House are Desirous to offer some alterations in the plan of Division propos'd by the Resolve of this Board, they are ever Ready on all occasions to forward any alterations that they can be convinced will beneficially affect the province, Therefore

Resolved that Coll^{o} Atkinson, Col^{o} Warner, Mr. Barrill, Mr. Rindge and Mr. Pierce be a Committee to join the Committee of the House appointed by their vote of the 10th Inst. for the purposes therein mentioned. Read and ordered to be sent down.

Theodore Atkinson, jun. Sec^{y}.

Wednesday, Sept. 16th 1767.

The Com^{tee} of the Council and House for confering about the Lines for Dividing the Province into three Counties, And places of holding the County met for that purpose.

[P. 157.] **Fryday, Sept. 18th 1767**

P. M.

The Committ^{e} for Considering of Dividing the Province into three Counties made the following Report, viz.

The Comitt^{e} of both Houses Chosen to consider of and settle the most convenient lines for dividing the Province into three Counties, & the most convenient times and places for holding the Courts, have considered that matter & beg leave to Report, That the lines Proposed by vote of the House of the 28th of Augst last may answer at present with the following alterations, viz.

That there be added to the North County the towns of Chichester & Canterbury, & also where any town is divided by Pemigewassett River or Bakers River, the whole township shall belong to the North County.

As to the other two Counties, that the Townships of Nottingham West & Litchfield & Derryfield be added to the Western County if tho't most con-

venient, and that the whole of the township of Bow belong to the Eastern County, and that there be held in the North County one Superior Court & [p. 158.] one Inferior Court & one Court of General Sessions of the Peace in the town of Dover, & one Inferior Court and one Court of General Sessions of the Peace in the township of Rochester yearly.

In the West County that there be held one Superior Court and one Inferior Court and one Court of General Sessions of the Peace in the Township of Merrimack and one Inferior Court and one Court of General Sessions of the Peace in the township of Walpole yearly.

In the Eastern County that there be held one Superior Court and one Inferior Court and one Court of General Sessions of the Peace in the town of Portsmouth, one Inferior Court and one Court of General Sessions of the Peace in the Town of Hampton, one Superior Court and one Inferior Court and one Court of General Sessions of the Peace in the Town of Exeter, one Inferior Court and one Court of General Sessions of the Peace in the town of Londonderry yearly. As to the times of holding the Courts referred to further consideration. By order of y^e^ Com^tee^.

D. Warner.

Saturday Sept. 19^th^, 1767.

[p. 159.] The House took into consideration the Report of the Com^tee^ for Dividing the Province into three Counties and

Voted that said Report be accepted and that Nottingham West, Litchfield and Derryfield be added to the Western County, it appearing most convenient for them, and that a Bill be drawn up accordingly. Sent up by Mr. Toppan.

Tuesday, Sept^r^. 22^d^ 1767.

Mr. Sec^y^ Brot from the Board the Petition of Sundry Inhabitants of Hampton Falls praying to be excused from paying to Mr. Wingate the settled minister and to enable them to raise money to support their own minister. [A hearing granted.]

[p. 160.] P. M.

The House took under consideration the Petition of sundry Inhabitants of New Ipswich Praying for a Com^tee^ to settle a place for erecting a meeting-house in s^d^ Town, and the petitioners being heard thereon and also a Com^tee^ on behalf of the town against the Petition it appears that sending a Com^tee^ will be the most likely to settle peace in Said Town, Therefore

Voted That Col^o^ John Goffe, John Hale & James Underwood Esqrs. be a Com^tee^ to Determin the most suitable place for erecting a meeting-House in said Town, and to make Report to the Gen^l^ Ass^m^ as soon as may be. Sent up by Mr. Wiggin. [Concurred.]

Wednesday, Sept. 23d, 1767.

Whereas by change of circumstances in several places that pay a Province tax and in Several places heretofore exempted from such tax, a new Proportion is necessary, Therefore

Voted, That the Selectmen or the major part of them or others by them appointed at the charge of the Town Parish or District whereto they respectively belong shall take an Inventory of the Ratable Estates of the Towns Parishes and Districts following, viz.

Portsmouth
Dover
Hampton
Exeter
New Castle
Rye
Kingstown
Newington
Stratham
Londonderry
Greenland
Durham
Lee
New Market
South Hampton
Hinsdale
Winchester
Walpole
Charlestown
Westmoreland
Epsom
Sandown
Hawke
Peterbourough Slip
Concord
Weare
Hillsborrough
Number One
Plastow
Hampstead
Salem
Pelham
Summersworth
Hollis
Dunstable
Merrimack
Monson
Chester
Litchfield
Nottingham West
Rochester
Barrington
Hampton Falls
Nottingham
Brentwood
Bedford
Dublin
Plymouth
Gilman Town
Candia
Raymond
Poplin
Deerfield
Stevens Town
Haverill
Plainfield
Keen
Derryfield
Canterbury
North Hampton
East Kingstown
New Town
Kensington
Windham
Bow
Epping
Gosport
Boscawin
Dunbarton
New Boston
Goffs Town
Pembrook
Amherst
Lindsborrough
Swansey
Clairmont
Gilsome
Sanborn Town
Atkinson
Rowley Canada
Number Six in the line of Towns
New Hopkin Town
Wilton
New Ipswich
Peter Borrough
Cornish (1)

Which Inventory shall be taken in the month of December Next In the following kind of Estate, all Male Polls from sixteen years old & upwards, all Slaves male and Female Exceeding sixteen years old, all orchard arable Medow & Pasture Land accounting so much pasture land as will sumer a cow four acres, all Horses Mares and Colts Distinguishing the difference of years from one to four years old, all oxen Cows and young Cattle Distinguishing their age as above Express'd for Horses, all mills and the yearly rent thereof, yearly repairs thereof being deducted in the judgment of the persons taking said Inventory, that the Persons taking said Inventory shall take an oath to be administered by any Justice of the Peace in said Province that they have faith-

(1) This name seems to have been omitted in the record, but is found in another list. — Ed.

fully & Impartially made said Inventory which shall be returned with the said Inventory into the Secretary's office at or before the first day of February Anno Domini 1768.

Further voted, That the Selectmen of the oldest adjoyning Town to any Town Parish or District where no Selectmen are shall take Inventory of such Town Parish or District & Return the same as aforesaid for which they shall be paid an adequate Reward on their Account being exhibited to and allowed by the General Assembly out of the Province Treasury. And further Voted, That the Sec^{y} send a copy of this vote to the Selectmen of the several Towns Parishes and Districts above mentioned at the public charge.

Sent up Sept 24th by Col^{o} Goffe. [Concurred.] (1)

[p. 162.] Mr. Sec^{y} Bro't from the Board the Report of the Com^{tee} Respecting Dividing the Province into three Counties with the vote of the House thereon accepting said Report upon which the Council passed the following vote, viz.

In Council Sep^{r} 23^{d}, 1767.

Read & Concurred so far as Relates to the lines for Dividing the Province into three Counties: but the Council cannot with Honour joyn with the Hon^{ble} Assembly in voting the constituting and Establishing of the Courts and the times and places of their sitting in the several Counties Proposed, as that would be an Infringement on the Prerogatives of the Crown, and vested by his Majesty's Commission in his Excellency with advice of his Majesty's Council, & with whom the Intire Right of such nominations & appointments constitutionally appertain.

William Parker, Tho^{s} Westbrook Waldron & Meshech Weare Esq^{rs} were appointed to wait on his Excellency in order to get the Places for holding the Courts in the second Counties settled.

Thursday Sep^{t} 24th 1767.

[p. 163.] Mr. Sec^{y} bro't from the Board the Act granting a Lottery for building a Pier or bason at the Isles of Shoals and said the Councill tho't the managers appointed by the Act ought to be under oath, which by the Act they were not oblig'd to: and Proposed that amendment to be made. The House considering the amendment proposed agreed that it be made, which being made the Act was sent to the Board again.

[p. 164.] Whereas by the Establishment of the Lawfull money of this Province the fines Imposed by the Acts & Laws for comitting the offences thereby respectively forbidden or neglecting the duty so enjoyned become unequal to the true intrinsic value of the Sum so fixed whereby the meaning & Intent of the said Laws will be mistaken if the said fines or forfeitures should be demanded

(1) See List of Ratable Estates. &c., According to returns as above, under marg. page. 218 in this volume.—Ed.

& taken in lawfull money according to the nominal Sum, for preventing whereof it is necessary that an authoritative Declaration should be made of an Equivalent to said fines & forfeitures in lawful money, Therefore

Resolved & Voted, That the fines & forfeitures mentioned in the several Acts referr'd to in the Schedule hereto annexed containing five pages be taken in the sums therein set down as an Equivalent in Lawful mony until a further Provision & direction be made & given by the General Assembly.

Sent up by Mr. Parker.

Mr. Sec^y Brot from the Board the following Resolve, viz.

In Council, Sept. 25th, 1767.

Whereas the Paper Bills heretofore issued on the Credit of this Province by the several Acts for issuing the same are to be Redeemed and paid into the Treasury & Burnt by the 25th of December next: and whereas there are some of the several Emissions still extant and passing as a currency, and it [p. 165.] being expedient to Notify the Possessors of such bills that their currency will cease and be determined on the said 25th of December next and that seasonable Provision may be made for the exchanging the said Bills,

Resolved That the Committee appointed to Draw Bills of Exchange on the Agent be and hereby are Impowered and Directed to Draw Bills for Silver and Gold and for such sum or sums as may be necessary for Redeeming all the said Bills of Credit, and cause all such Silver and Gold to be put into the Treasury, and that the Treasurer be and hereby is impowered and directed to Exchange the said Silver & Gold for the said Bills in order to their being burnt agreeable to the several Acts for emitting the same as aforesaid, and that Notice hereof may be Printed in the New Hampshire Gazette.

T. Atkinson, jun., Sec^y.

Which Resolve being consider'd by the House a verbal message was sent to the Board by the Clerk to this purpose, viz. The House apprehend that by their vote of the 15th of May Last the Com^tee are fully Impowered to Draw Bills for the whole money at home that they think it best that the sinking the Sterling Bills should be finished first; That by the last Supply Bill Provision was made for Exchanging a considerable part of the Paper Bills, and if that Provision should not prove sufficient it might afterwards be better ascertained and Remedied than now.

Mr. President, Mr. Nevin and Mr. Warner came from the Board with the vote for a grant to his Excellency and said that the Board tho't said vote not sufficient but that it ought to be a grant by Act and during his administration. That altho' we had said there was expectation of his having a salary settled from home, if that should be it would be so guarded by Instructions as to prevent his Receiving any Reward from Assembly. That a naked vote of the Assembly could not reach any money in the Treasury Placed there under the Province Seal and fully appropriated. The Council were of opinion it ought to be by an Act as it had been for the late Governor so appropriated that he might have a permanent Salary during his administration.

The House sent a verbal message to the Board by Mr. Parker,

Mr. Waldron and the Clerk in Answer to the above message, viz. The House are disposed to pay all Regard to the things mentioned by the Hon^ble^ Council but we are now but a thin House, many of the members being gone home, and agreeable to the Rules of their proceeding they could not so properly determine on those things now.

Saturday Sept. 26, 1767.

[P. 166.] Mr. Pierce bro't from the Board the following Mess^e^ from his Excellency, viz.

Mr. Speaker and Gentlemen of the Assembly —

As the business more immediately before the Gen^l^ Ass^m^. appears to be Drawing near a conclusion I have it to Recommend to the Hon^ble^ House that they consider and fix my Establishment being a matter now regularly before them and equally important to all concerned. From this measure having been some time since Recommended, I am in expectation that the usual application of the Hon^ble^ House will soon Determine it in wisdom and Honor.

J^o^ WENTWORTH.

Council Chamber
Sept^t^. 26^th^ 1767.

[P. 167.] The House adjourned [from day to day] till

Wednesday, Sept. 30^th^ 1767.

The House resumed the consideration of his Excellency's Message Relative to settling his Salary, after which the House came to the following —

Vote, That the Sum of seven hundred Pounds Lawful money pr Annum be and hereby is granted to his Excellency John Wentworth Esq^r^. the Governor of this Province for his salary During the time of his continuance in said office to be Drawn by him out of the Treasury of the Province from the money that shall be there Raised by the Excise on Spirituous liquors, if sufficient, but if not the Deficiency to be paid out of their money in the treasury and drawn half yearly, And that the Excise for the future be farmed out or Collectors appointed as the Governor, Council and Assembly shall order: Unless provision for the Payment of the said salary is or shall be made by Parliament or otherways in Great Britain, and that an Act be drawn and Pass'd for this purpose before the foregoing Vote was sent up.

[P. 168.] A message was sent to the Board by the Clerk to Desire to withdraw the vote sent to the Board for his Excellency's Salary for one year as the House had Pass'd a vote for setling his Salary.

The vote for setling his Excellency's Salary was sent to the Board by the Clerk with a message that the House expected the vote for his allowance for one year to be Return'd.

P. M.

Mr. President Col° Warner and Mr. Sec^y^ came from the Board with the vote of the House for setling his Excellency's Salary and prepared some amendments to be made in the form of the Expression relative to the Salary being setled from home and for ascertaining what the Excise is to be.

Thursday Oct^r^ 1^st^ 1767.

The House took into consideration the vote of the House of yesterday bro't from the Board and after consideration thereof the House made the first alteration proposed by the Council and the vote was sent up to the Board again.

The House taking under further consideration the affair of setling the Governor's Salary it was moved to be put to vote whether the House would pass the vote for setling his Excy^s^ Salary leaving out the clause for a Com^tee^ to be chosen by the Gen^l^ Ass^m^ to farm the Excise, which motion being considered and Debated it was put to vote and it passed in y^e^ negative.

[P. 169.] P. M.

A motion was made for Reconsidering the vote respecting the Governor's salary which was put in the forenoon and passed in the Negative, which motion being considered it was put to vote whether the House would Reconsider said vote and it passed in the affirmative.

The matter being further Debated whether the vote for setling the Governor's Salary leaving out the clause for a Com^tee^ to be chosen by the Governor Councill and Assembly to farm the Excise should pass or not, it was put to vote and Passed in the Negative: and a verbal message was sent to inform his Excellency that the House could not see their way clear to pass such a vote.

[P. 170.] Saturday Oct^r^ 3^d^, 1767.

Mr. Livius, Mr. Pierce and Mr. Rindge came from the Board with the Act for Establishing a Table of Fees and Inform'd the House that the Council could not Pass the Act as it now stood, That they tho't it would be best that it should be properly prepared in the Recess of the Court and recommended the choosing a Com^tee^ of both Houses for this purpose and left the Act in the House. (*a*).

(*a*) Votes, acc^{ts}, bills &c. passed by the House and concurred by Council from Aug. 18th to Oct 2^{d} 1767.

Jour. C. & Assem.

Petition of Elizabeth Moulton's for relief, &c. granted.

Petition of Inhabitants of New Ipswich for committee to locate a meeting house.

Petition of James Kelsey for liberty to file a complaint at Sup^{r} Court.

Petition of Ichabod Denbo for liberty to revive a suit — granted.

Petition of Sam^{l} Elliott for allowance — dismissed.

Petition of John Tibbetts, to renew action at Inf^{r} Court — granted.

Petition of Annas Camell — dismissed.

Petition of Inhabitants of westerly part of Plaistow to form a new Parish — granted.

James Dwyer acc^{t} for Expresses, allowed 50*s* in full.

Petition of Stephen Thing to make partition of certain land — granted.

Bill to dissolve the marriage of Wm. Barrell with Martha Langdon.

Bill for regulating the management of swine.

Petition of John Tucker for liberty to bring forward a complaint, &c.

Bill for relief of Prisoners for debt — passed.

Bill for relief of Idiots and distracted persons — passed.

Major Titcomb allowed, for sundry inlistments, £19: 10.

Petition of George Jackman jun. and Thomas Carter of Boscawen to collect money, &c. — granted.

Bill for settlement of Estate of Aaron Davis, Moses Davis & Deliverance Davis among heirs.

Acc^{t} of Daniel Pierce, allowed £16: 12: 6 for Books.

Petition of Thomas Tash and Thomas Chester to promote settlement of New Durham.

Petition of Ann Ross on account of difficulties with her husband — hearing deferred.

Petition of Moses Barron and Wm. Peabody respecting lands in Amherst — hearing granted.

Bill for a Lottery at Isles of Shoals for building a pier &c.

Petition of Thomas Marden & others to be polled off to Rye — disallowed by Council.

Petition of Nathan Rowe, a debtor to the Province, for time to discharge the debt — granted one year.

Acc^{t} of Capt. Michael Purcell for expenses in the case of John Swinson. allowed £50 Proc. money.

Mr. Sec^{y} came into the House and by his Excellencys Direction adjourned the Gen^{l} Ass^{m} to Tuesday the 15th day of Decemb^{r} next at ten o'clock in the forenoon.

Att^{t}. M. Weare, Clk.

List of members according to certificate of attendance, by the Clerk, from July 1, to Oct. 3, 1767.

		Days Attendance.
Exeter,	Hon^{ble} Peter Gilman, Esq.	44
Portsmouth	William Parker, Esq.	41
	Mr. John Sherburne	43
	Mr. Jacob Sheafe	44
Hampton	Col^{o} Jona. Moulton, Esq.	21
	Chris^{to} Toppan, Esq.	36
Hampton Falls,	Meshech Weare, Esq.	45
Dover	Tho^{s} W^{k} Waldron, Esq.	44
	Capt. Howard Henderson	26
Exeter,	Capt. John Giddings	27
New Castle & Rye,	Thos. Bell, Esq.	37
	Richard Jenness, 3^{d} Esq.	46
Kingston,	Josiah Bartlett, Esq.	38
Newington,	Maj^{r} Rich^{d} Downing, Esq.	45
Stratham,	And^{r} Wiggin, Esq.	40
Londonderry,	Col^{o} Sam^{l} Barr, Esq.	27
Greenland,	Col^{o} Clem^{t} March, Esq.	42
Durham,	Doc^{r} Eben^{r} Thompson	44
Newmarket,	Lt. John Burley	22
South Hampton,	Capt. Eliphalet Merrill	29
Chester,	John Webster, Esq.	43
Plastow & Hampstead	Capt. John Carlton	33
Salem & Pelham	Maj. Joseph Wright	34
Summersworth,	Col^{o} John Wentworth	20
Holles & Dunstable	Doc^{r} John Hale	30
Merrimack & Monson	Capt. John Chamberlin	38
Nottingham & Litchfield	James Underwood, Esq.	32
Kensington,	Capt. Ezekiel Worthen	44
Rochester,	Dea. James Knowles	38
Barrington,	Mr. Jon^{a} Church	30
Amherst & Bedford	Col^{o} John Goffe	37

Mem^{o}. Esq^{r} Underwood to be allow'd one day service travil 30 miles, besides travil to Court.

Col^{o} Goffe for Do.

Capt. Waldron & Col^{o} Wentworth to be allowed each one day travil.

Col^{o} Hale to be allowed a travil between the 26th & 28th of Sept.

[p. 185.] *A Journall of the House of Representatives of his Majesty's Province of New Hampshire at a Session held Feb. 10th* 1768, *by adjournment.*

Wednesday Feb^{y} 10th 1768.

Met and adjourned, till

Thursday Feb^{y} 11th 1768.

A message was sent to his Excellency by Col^{o} Goffe, Mr. Sheafe and the Clerk, to inform him there was a Quorum of the House met, who made return that they had Deliver'd the message.

The President of the Council bro't down from the Board the following Report of the Com^{tee} for telling money in the Treasury to be burnt, viz.

Province of New Hamps^{r} Feb^{y} 8th 1768.

The Com^{tee} appointed by vote of the Gen^{l} Assembly to tell over and Receive from the Treasurer Such Sums as might be in the Treasury to be burnt agreeable to the Several Acts for Emitting the Same have accordingly accompted and Received from Mr. Treasurer Jaffrey the following sums, viz.

Of the 1st Emission	£7: 12: 0
2^{d}	5: 15: 10 1-2
3^{d}	4: 2: 7 1-2
4th	71: 7: 10 1-2
5th	94: 2: 6
6th	488: 1: 6
7th	725: 9: 6 1-2
8th	1607: 4: 10 1-2
9th	2407: 11: 10 1-2

Sterling for Bills of Exchange.

[p. 186.] We have also Received in Canada and Crown Point Bills Received by the Treasurer as Tax for the year 1766 four thousand six hundred twenty six Pounds seven shillings & six pence new Tenor; also five hundred and ninety eight Pounds twelve shillings & Nine Pence New Tenor as arrearages. We have also Received in Sterling Bills for arrearages of taxes twenty seven Pounds six shillings & nine Pence Sterling: all which sums we have locked up in the Province Strong Box and now waits the order of the Gen^{l} Assembly.

Thor Atkinson
John Sherburne } Com^{tee}
Jacob Sheafe

Mr. President also moved to the House That a Com^{tee} might be chosen to examine the Agents acco^{ts} and the acco^{ts} of the Com^{tee} for drawing Bills on the agent &c.

The House considering the motion for choosing a Com^{tee}

Voted That Christopher Toppan Esq. Mr. Jacob Sheafe and Capt. John Giddings be a Com^{tee} of this House to joyn with such as may be appointed by the Hon^{ble} the Council to examine the acco^{ts} of the Agent for this Province at the Court of Great Britain, and also the accompts of the Com^{tee} for drawing Bills on the

Province agent and make Report to the General Assembly as soon as may be. Sent up by Dea. Knowles. [Concurred, and the Hon^ble^ Peter Livius, Jona. Warner & Daniel Rindge, Esqs joined.]

Journ. C. & Assm, Feb. 10^th^ 1768. The petition of Colonel Joseph Spencer et alii Inhabitants of the upper & great Cohoss and sundry other places in this Province, Praying a road may be cut from New Holderness or Moultonboro' thro' the Woods to the upper Cohoss aforesaid, &c. Read and sent down.

Mr. Secretary brot from the Board the Petition of David Page and others Praying that a Com^tee^ may be appointed to Lay out a Road to the upper Cohoss at the Publick Expence &c.

[P. 187.] Frydry Feb^y^ 12^th^ 1768.

Mr. Sec^y^ bro't from his Excellency the governor the order from his Majesty in Councill for Repealing an Act of this Province Entituled "An Act for ascertaining what Places may send Representatives to the Gen^l^ Assembly."

[P. 188.] Saturday Feb^y^ 13^th^ 1768.

Prov. of N. Hamp^r^. Feb. 13^th^, 1767, in the House of Representatives The House having taken under consideration the Petition of Daniel Jones in behalf of the Town of Hinsdale in this Province Representing that part of said Town by his Majesty's late order had fallen into the Province of New York & thereby near half of the Polls & Rateable Estates of said Town were now in that Province by which the whole of the Province Tax fell upon that part of said Town which remained in this Province and praying that so much of the said Tax might be remitted as would have been paid by the Polls & Estates so taken [P. 189.] off from said Town, and appointed a Committee to examine the affair find that for the cause aforesaid there ought to be remitted to said Town the sum of Two pounds six shillings lawful money & thirteen pounds sixteen shillings New Tenor bills of Credit of said Province — their Prov^ce^ Tax for the year 1765, — the sum of two pounds fourteen shillings & six pence Lawfull money, the sum of eleven pounds thirteen shillings & six pence new Tenor for the year 1766, and the sum of three pounds fourteen shillings & three pence Lawfull money for the year 1767, which having been considered therefore,

Voted That the said several sums be allow'd remitted & Discounted with the said Town of Hinsdale of which the Treasurer of this Province is to take due notice & settle with the said Town

accordingly, which shall be allowed to him in his account with the Province; And further as it appears that the proportion of Rateable Estate & Polls so taken off from said Town is two-fifths, therefore it is considered & ordered that the Treasurer in issuing his future warrants observe the same & conform the same accordingly till a new proportion shall be made. Sent up by Col° Moulton. [Concurr'd.]

Upon reading the Petition of Moses Baron, William Peabody, Collectors for the Proprietors of Souhegan West, Num^r 3, lately so called, Now Amherst — It appearing that the several matters set forth in the Petition and with which they are connected are numerous & too tedious to be examined in this House, and many matters of evidence not to be had here, and it may be necessary to have recourse to the Records at Amherst, Therefore Ordered that all the aforesaid matters and things be referred to Jonathan Lovewell, Edward Goldston Lutwich Esq^rs and Mr. Samuel Pattin to examine and fully state the case as they shall find it upon considering all the evidence that shall be produced by the Petitioners and any concern'd in support of the Petition or in answer to it, and present such state to the gen^l assm. as soon as may be.

The Petition with a copy of the above vote was delivered to the Petitioners.

Tuesday, Feb^y 16^th 1768.

[P. 190.] Province of New Hamp^r } In the House of Representatives, Feb 16^th 1768.

Whereas by a Clause in the last supply Bill there was granted the sum of four hundred pounds to Redeem the Bills of Credit then outstanding, which proves insufficient: Therefore,

Voted That the Treasurer of this Province be and hereby is authorized to receive any further sum of said Bills that shall be offered and duly Bro't into the Treasury which shall be allow'd to him in his next accompt with the Province. Sent up by Maj. Wright. [Concurred.]

Thursday, Feb. 18^th 1768.

[P. 192.] The Petition of sundry persons for a road to be looked out &c. to the upper Cohoss was read and ordered to lay for further consideration. Adjourned. till

Fryday, Feb^y 19^th 1768.

Mr. Speaker laid before the House a Letter he Received from the Speaker of the House of Representatives of the Province of

the Massachusetts Bay, respecting measures proper to be taken at this critical time — which was read, and is on file. (1)

[P. 193.] The Committee appointed to Determine the most suitable Place for Erecting a meeting house in the Town of Ipswich make Report, That the Place where the meeting house now is in said Town is the best situation for it to be continued in, will best accommodate the Town and be most agreeable to the greatest part of the Inhabitants: which Report being considered.

Voted, That it be accepted and the place for setting the meeting House in said Ipswich established agreeable thereto: And further Voted, That the accompt of said Com^tee^ for their time and expense in that business amounting to three Pounds sixteen shillings Law^l^ Money be allowed and paid them by the Selectmen of said Ipswich who are directed to assess the Inhabitants for the same. Sent up by Doc^r^ Bartlett. [Concurred.]

Mr. Livius bro't from the Board the acc^t^ of the Com^tee^ for Drawing on the agent in London, with the Report of the Com^tee^ for Examining the same as follows, viz.

The Com^tee^ charge themselves with the amount of sundry Bills of Exchange Drawn by them on the Agent Trecothick agreeable to the Acts and Orders of the Gen^l^ Assembly Between the 14^th^ day of May 1767 and the 3^d^ day of Feb^y^ 1768 £5034: 5: 0

The said Com^tee^ Discharge themselves by the foliowing articles, viz.

By sundry Parcells of Sterling Bills of Credit at Sundry times Paid into the Treasury as by acc^t^ of Particulars marked A & B. herewith Render'd, amo^t^ to	£2843: 0:11
By Do. paid Do. in silver and gold as articled in the said Acc^t^ of Particulars & in A & B.	£819: 7: 0
[P. 194.] By Do, as part of the arrearages due to Benning Wentworth Esq. of sterling Bills by him deposited in the Treasury before the last settlem^t^ for acc^t^ of Particulars	77: 14: 8
By Do. supply'd the Treasury to enable him to comply with the votes of Assembly in Discharging two separate votes of the Assembly for different allowances made his Exc^y^ the Go^r^ as pr Acc^t^ A.	800: 5: 0
By Do. Bills of Exchange in favour of Benning Wentworth, Esq. his Ballance of the Bills paid by him into the Treasury before the late settlement of Acc^ts^ as pr Acc^t^ of Particulars marked B	157: 19:4
By Interest allow'd the Possessors of the said Bills on the said S^d^ several sums paid into the Treasury and in Pursuance thereof	335: 18: 1
	£5034: 5: 0

Errors excepted this 19^th^ Feb^y^ 1768

Pr. Ther Atkinson, Chairman.

[vouched for by Committee.]

(1) This letter cannot now be found. — Ed.

Fryday Feb^{y} 19th 1768. P. M.

The house this Day took under consideration the vote of the Hon^{ble} his Majesty's Councill of the 23^{d} of Sep^{r} Last concurring in part with the vote of the House of the 19th of the same month accepting the Report of a Committee of both Houses Relating to [P. 195.] the Division of the Province into three Counties, the Boundaries of those Counties with the times and Places of holding the several Courts of Justice in each: which vote had been past over thro' hurry and mistake. The House observe with Regrett the non-concurrence aforesaid and suppose the Reason given for it in the vote is taken from a Paragraph in the Governor's Commission authorizing him with the advise and consent of Councill to erect, constitute and establish such and so many Courts of Judicature and Public Justice within our said Province and Plantation as he with the advise aforesaid shall think fit and necessary for the hearing and Determining of all Causes as well Criminal as Civil &c. As the House would be far from infringing on the Prerogative of the Crown or opposing any Powers Legally vested in his Excellency our Governor whom they highly esteem and honor; so they would hope and believe the Hon^{ble} Councill would be as far from a Design or Desire to extend the Prerogative beyond the Legal Limitations (which in most cases are well ascertain'd) to Diminish the Just liberties and Privileges of the People, or to introduce any approaches toward the appearance of a Dispensing power, or superseding the Laws of the Province: As then this is a Point which now falls fairly under consideration the House would freely discuss the matter that it may be settled in a Legal and Constitutional form:

The Paragraph to which we Refer in the Commission was inserted in the first Commission for Erecting a Government in this Province, and from the exigency of affairs was then absolutely necessary till a Legal Establishment of Courts of Justice should take place; and tho' perhaps the same Paragraph has been inserted in all the succeeding Commissions, yet such a power has never been exercised by any Governor of this Province since the Laws now in force were passed for holding the said Courts in the town of Portsmouth and Regulating their proceedings. In the year 1730 three of the Inferior Courts were removed from Portsmouth, one to Exeter, one to Dover, one to Hampton, and but one held at Portsmouth, but this was done by an Act Passed for that purpose; and tho' that Law after about five years Practise upon it was Disallowed, it was not because those Courts were Removed by Act of Assembly. The Governor in the chair when that Act passed was full as carefull of the Prerogative as his Duty required, but he never conceived it to be an Invasion of the Right of the Crown that the Assembly should have a Voice in a Virtual Repeal of the Act which had before fixed those Courts at Portsmouth; nor was the said Paragraph ever understood to

operate after such a Legal Establishment as aforesaid. Since the year 1730 four or five Acts of Assembly have been pass'd for altering the times of the sitting of Courts in this Province, and [P. 196.] we think it to be plain that the words Erect, Constitute and Establish, have here an original signification of fixing those Courts in the first instance. The House is confirmed in this opinion by Considering that they are at present fixed at Portsmouth by Law, which before they can be Legally Removed must be superseded; that this Law has been in force above sixty years (Except the five years aforesaid) and cannot be altered but by the same authority which gave it being, without subverting in this instance the Constitution of Government; And we apprehend the doing it by any other authority would be to assume a Power of Dispensing with that Law. Further the House understood the words under consideration in the same limited sense as the words in another Paragraph of the Commission have been & ought to be understood, viz. Where the Governor has a Power to Erect Cities, Burroughs, *Touns* &c That is where there were none before or none under a Legal Incorporation, and taking the words in this sense there is no ground for an accusation of Invading the Prerogative; nor for any complaint on the contrary of infringing on the Rights of the People. That there is no material difference between the Right and Claim of a Prerogative to fix the times and Places of holding Courts in a New County, and of Erecting and Finishing the whole by the same Power. Wherefore as the House apprehend this is an interesting affair to their constituents, nearly affects the administration of Justice (especially as to the Places) and on which their property in a great measure Depends they conceive themselves in Duty bound to Endeavor to maintain the Priviledge of a voice herein and think that their silence would be in effect Deserting the *the* Interest of those they Represent. They think it also observable that as far as they can at present Discover the same Power is contained in Commissions for other Governments, yet New Counties have always been erected by Acts of the whole Legislature. Wherefore the House apprehend it to be their Duty to adhere to their former vote. Sent up by Col° Wentworth. (*a*)

(*a*) Jour. C. & Assem. Feb^{y} 23^{d} 1768. The Board took under consideration the message from the House entered the 20th Inst. relative to their right to a voice in the appointment of the Courts in this Province, which message was sent up in consequence of the Votes of the House which were non-concurred by the Council the 23^{d} September last, Upon which the following Questions were put in Council, viz.

(1) Whether the Board concurred with the s^{d} message — and it Pass'd in the Negative.

(2^{dly}) Whether they would adhere to their former vote — & it Pass'd in the affirmative.

Saturday, Feb^{y} 20th 1768.

[p. 197.] A message was sent to the Board by Mr. Toppan to Enquire whether the vote for the Treasurer to Receive Bills of Credit was concurred by y^{e} Councill.

Mr. Livius and Mr. Rindge came from the Board with a verbal message, That the Councill apprehended if that vote passed there would be a Deficiency in the Treasury for sinking them or paying the contingencies of the Governm^{t} which should be provided for; and left the vote for the consideration of the House. The House took the same into consideration and sent up the vote to the Councill with a verbal message by Mr. Parker And the Clerk giving the Reasons why the House apprehended there would be sufficiency in the Treasury.

[p. 198.] Tuesday Feb^{y} 23^{d} 1768.

The President of the Council and Mr. Rindge came into the House and said in answer to a message from the House on Saturday last Respecting the vote for the Treasurer's Receiving Paper Bills: The Councill were willing for the vote but were apprehensive that there might be a Deficiency in the Treasury for to answer the demands that were intended to be Provided for and sinking so much as may be bro't in in Bills and proposed that, That the Treasurer should be Enabled in case it should be necessary to Issue Notes upon Interest to be Redeemed by the Province, &c.

In answer to which message, a message was sent to the Board by the Clerk, Col^{o} Goffe, Col^{o} Hale & Doc^{r} Bartlett to inform the Councill That the House are Disposed to Do what may be necessary in that affair: They apprehend that knowing the state of the Treasury will be a help in judging of that matter, and as soon as that is known the House will take the Councill's message under consideration, and act what shall appear best.

[p. 199.] Wednesday Feb^{y} 24th 1768.

Mr. King Dep^{y} Sec^{y} bro't from the Councill the vote of this House of the 18th Instant Respecting the Right of the House to have a voice in setling the times and Places for *holding the times of* holding the Courts in the several Counties, with the following vote of Council thereon, viz.

In Council, Feb^{y} 23^{d} 1768

Read and noncurred, and Resolved that the Council adhere to their former vote of the 23^{d} of Sep^{t} 1767.

T. Atkinson, jun^{r} Sec^{y}.

Thursday, Feb^{y} 25th 1768.

Whereas the House by their vote of the 16th Instant authorized the Treasurer of this Province to Receive any and as many of the Bills of Credit of this Province as should be regularly Bro't to him by any Constable or Collector as part of the Province Taxes for the currant year which it has been tho't could not be so taken without danger that the Treasury would be exhausted by the Demands to be satisfied this year, as the said Bills must be now Sunk: But as the House are willing to make the necessary supplys and think there is no Danger of Drawing out all the [P. 200.] money in the Treasury before such supplys may be granted, and Refusing said Bills in the mean time in the Treasury may be heartfull to the People of the Province, Therefore

Voted, That the Council be requested to consider of and concur the said vote to Prevent the Damage which may otherwise Intervene. Sent up by Mr. Parker, Col^{o} Hale & Capt. Merrill.

Fryday, Feb^{y} 26, 1768.

Mr. Speaker laid before the House an answer prepared to be sent to the Speaker of the Assembly of the Province of the Mass^{a} Bay to the Letter sent by them to this House and Communicated by the Speaker on the 19th, which being read and considered,

[P. 201.] Voted, That it be signed by the Speaker in behalf of the House and sent to the Speaker of the House of Representatives of the Province of the Mass^{a} Bay. Copy of which is on file.(1)

P. M.

Mr. President of the Councill & Mr. Jaffrey came from the Board and inform'd the House That the vote for the Treasurer's Receiving Bills of Credit into the Treasury from the Constables was concur'd by the Councill, which the Council had concur'd in expectation that the House would make the necessary Provision for sinking said Bills, and also sterling Bills that may be bro't to the Treasury, and whatever was necessary for finishing the settlem^{t} of outstanding Bills and also Sterling Bills that may be bro't to the Treasury, and whatever was necessary for finishing the settlem^{t} of outstanding Bills Also Inform'd the House that the Vote for a Com^{tee} for settling the Treasurer's acc^{ts} and to find what Bills may be outstanding &c. was concur'd.

(1) This letter cannot be found.—Ed.

Saturday, Feb. 27, 1768.

[p. 202.] Upon reading and considering the petition of James White and Samuel Kimball both of Atkinson in said Province with several others to have leave to poll of from said parish of Atkinson to the parish or town of Plaistow both the polls and Estates, after a full hearing of the parties concerned and duly considering all circumstances,

Resolved and voted that two of the Petitioners only, viz, James White and Sam[l] Kimball have liberty to poll off from said Atkinson to Plaistow afores[d] with their familys & Estates both real and personal, and shall hereafter be estimated, taken & adjudged to be part of & Belong to the said town of Plaistow, & shall be adjudged liable & liable & subject to all Duties Taxes and orders of said Town as much as and in the same manner as other inhabitants of said town in proportion to their estates. Sent up by Capt. Worthen. [Concurred.](a)

(a) Petitions, votes, accts, &c. passed in the house concurred by Council from Feb. 10[th] to Feb[y] 29, 1768.

Petition of inhabitants of Madbury, to become a parish. Leave to bring in a bill.

Petition of Widow John Carr and children for division of estate. Leave to bring in a bill.

Petition of inhabitants of New Hopkinton, for a tax on non-residents — leave to bring in a Bill.

Petition of James McHard, for allowance for escape of Aaron French, a prisoner, who owed him £38:5:8. Granted.

Petition of David McGregore for allowance of £28:4:9 & of £2:12:2 cost for escape of Aaron French from prison — granted.

Petition of inhabitants of Hampstead for liberty to collect an assessment, &c. granted a hearing.

Rochester petition for tax on non-residents — a hearing granted.

Hampton Falls petition to be set off as a distinct parish, granted.

Petition for a road from Durham Point to Durham Falls — hearing granted.

Samuel Gilman, petition for dividing real estate of the late Sarah Phillips among the heirs, &c. — leave to bring in a bill.

[p. 203.] Tuesday March 1[st] 1768.

Mr. Livius came from the Board and brot down the act for Establishing fees and informed the house that his Exc[y] the Governor Proposed some alteration in the Title and Preamble and left a minit of the alteration which he said would be agreeable to the Gov[r] and the Council.

He also Inform'd the House that his Excellency tho't it would be best to Leave out the Naval officers fees as they were Regulated by Act of Parliament he tho't it best no mention should be made of them in this Act.

It was put to vote whether the House would make the alteration proposed in the Title and Preamble of the Act above mentioned, and it pass'd in the affirmative.

It was also put to vote whether the Naval officers fees should be continued as they now stand in the Act, And it passed in the affirmative.

[p. 204.] Wednesday March 2d 1768.

A motion was made for the House to Reconsider their determination of yesterday Respecting the article of the Naval officers fees in the Act for Establishing Fees, which being put to vote whether said Paragraph should be erased and the Act sent up again, and it passed in the affirmative.

Accordingly, the paragraph was erased, and the date of the act altered to this day, and sent up to the Board by Mr. Toppan, Mr. Bartlett and Mr. Carlton.

[Acct of the Treasurer, Geo. Jaffrey Esq. Audited, and approved. (*a*)]

(*a*) Jour. C. & Assm. March 1st 1768. His Excellency gave his consent to the Bill entitled an Act to enable any Plaintiff in review of an action agst a person not an Inhabitant nor having any Estate in this Province which can be come at to be attached to serve the writ on the attorney or agent of the Defendant named in such writ.

Thursday March 3d, 1768.

[p. 205.] Upon reading the Petition of Samuel Huntoon of Nottingham in said Province, yeoman, setting forth that he married Margaret formerly the widow of Matthew Neeley Late of said Nottingham yeoman Deceas'd Intestate leaving several children. That she had administered the same and caused the Residue after payment of debts &c. to be distributed and divided as the Law directs, But had made sundry debts originally Due from the Intestate her own by giving her own security while she was sole to the Creditor, who thereupon discharged said Estate: That by the death of one of said children Intestate without issue after the Division the part set off to said child came to her the said Margarett, *which she a little before* her marriage with the Petitioner conveyed to her two surviving sons Reserving to herself the use thereof during life: That lately a large Demand had [p. 206.] been made on the Petitioner for one of the Debts transferred as aforesaid, and therefore he prayed that he might be allowed to Dispose of the Land so convey'd or that it might be so convey'd as to be in the power of the Petitioner and his wife to Dispose thereof, to Raise the money for that purpose, of which Petition the said sons had a notice and liberty to be heard thereon,

and their guardian, they being both minors, on their behalf agreed to pay said Debts so transferred in case the petitioner would convey to them the said minors, the possession of the land so Reserved, and Release and convey all claim thereto by virtue of the said Reservation, which the Petitioner and his said wife might have, which agreement being accepted the said guardian moved that he might be authorized to sell so much of said land as there may be a Necessity of Doing to Discharge any such Debts and Procure the immediate Possession and Profit of said Land to his wards use, and Preserve the timber thereon from waste and destruction, as well as save the Remainder for their benefit — all which appraisal to be just and acquitable, therefore

Resolved and voted, That the said guardian viz. Joseph Sias, Esq', be and hereby is authorized and Impowered to take a valid conveyance of the Right in said Land of said petitioner and his wife, to his wards in fee, that he give security to indemnify the Petitioner against any future and Present Demands for any the said transferred Debts, and also that the said Guardian in case of such necessity of selling such part of his said wards Land as aforesaid and making that appear to the Judge of Probate of Wills for said Province, The said Guardian by the License of said Judge (which he is hereby authorized to grant) may proceed and sell so much of the said land or any other in which his said Wards are interested as will be of the least prejudice to the Remaining part of their Estate, and the said guardian is hereby authorized to Execute a good Deed or Deeds as there may be occasion, and the said Guardian is hereby ordered to render his account in Due form of his proceedings herein as the Law directs in other cases. Sent up by Capt. Merrill. • [Concurred.]

P. M.

A motion was made for the House to take under consideration some new Plan of dividing the Province into Counties, and after Debating on said motion, the house adjourned till to-morrow 9 o'clock.

[p. 207.] Fryday March 4th, 1768, A. M.

The House took under consideration the motion made yesterday Relative to Dividing the Province into Counties, and after Debate thereon came to the following vote, viz.

Whereas there has been some Essays to Divide this Province into Counties which hâve not been agreed to and taken place, and as this House apprehend that the Division of the Province into counties in some form suited to the situation of the inhabitants is now become absolutely necessary not only to Relieve a great part of the People under a Burthen almost insupportable, but also to the Due and Regular Administration of Justice by

accommodating the Places for holding Courts of Justice to the situation of suitors, The House judge it their duty to attempt all means in their power and within their sphere to effect a matter so interesting to those they Represent and to carry such a Desirable scheme into Execution, Therefore

Voted, That this Province be Divided into four Counties, the Dividing lines to be as follows; viz.

For the first County to begin at the mouth of Hampton River by the Sea, from thence up said River to the mouth of the Falls River so called, then following the Dividing line between Hampton and Hampton Falls to the corner Bound of Hampton, Exeter and Stratham, then following the Dividing line between Exeter and Stratham to Exeter River, then down said River to the Dividing line between New Markett and Durham, then following the Line between New Markett and Durham and between Durham & Nottingham and between Nottingham and Barrington and between Chichester and Barnstead, and between Gilmantown and Canterbury to Winipiseoke River, then down said river to the mouth of Pemigawassett River, and up said River to Bakers River, and up the same to the head of the South Branch thereof, then on a strait line to Connecticutt River on the South side of the Town of Orford, — all that part of the Province which lyeth to the Northeastward or Northward of the above line to be the first County, and if any Township is divided by Pemigawassett or Bakers River, the whole Township so divided to belong to the first county.

[P. 208.] The Second County to begin at the mouth of Hampton River aforesaid by the Sea, thence following the line of the first County to the mouth of Pemigawassett River, thence down Merrimack River to the Dividing line between this Province and the Province of the Massachusetts Bay, thence Easterly following said dividing Line to the Sea, then by the Sea to Hampton River's mouth, all the lands included within said Lines together with all that part of the Town of Bow which is on the Westward side of Merrimack River, Saving the Towns of Nottingham West, Litchfield & Derryfield, to be the Second County.

The Bounds of the third County to begin at Merrimack River at the Dividing Line between this Province and the Province of the Massachusetts Bay, then Westerly by said Dividing Line until it comes so far West that a North Line will pass over the Height of the grand Monadnock Mountain so called, thence North by a Line passing over the Height of said Mountain to the Line on the Southerly side of the first County, then Easterly by said Line to Merrimack River, then down said River to the Province Line where the same crosses said River & all the Lands included within said Lines saving the part of Bow which is fixed to the second county, together with the three Towns of Nottingham West, Litchfield & Derryfield to be the third county.

The fourth County to Bound Easterly by the Westerly Line of the third County, Southerly by the Dividing Line between this Province and the Province of the Massachusetts Bay, Westerly by Connecticut River and Northerly by part of the first County.

The several Courts in each County to be held in such Places as will best accommodate the Respective Inhabitants. Sent up by Capt. Giddings.(*a*)

(*a*) Jour. C. & Assm. Mar 4, 1768. Three members bro't up a vote of the House for dividing the Province into 4 Countys in manner therein expressed. Read & nonconcurred unanimously, & resolved that the Council adhere to their resolve of the 23d of September last.

Fryday March 4, 1768, P. M.

[P. 210.] The Petition of the Inhabitants of New Boston, Praying to be Enabled to Exchange the minister & School Lotts in said Town was bro't from the Board by Mr. King, which being considered and appearing Reasonable,

Voted, that the Prayer of the Petition be granted and that the Petitioners have leave to bring in a Bill or Resolve for Establishing the same accordingly. Sent up by Mr. Jenness. [Concurred & assented to by the Governor.]

Monday March 7th, 1768.

The Petition of sundry Inhabitants of New Boston was this day again taken under consideration, by which it is represented that where the Lotts were severed belonging to the Respective Shares of the Proprietors of said Township the Lott No. 61, was drawn to the share appropriated to the use of the first settled minister and his heirs forever: And the Lott No. 53 was drawn to the share appropriated to the use of the School, which might be changed greatly to the advantage of the first minister which was now likely to settle in said town whom they were desirous to Incourage.(1) They therefore pray'd that they might be authorized to make said Exchange and that the votes they had passed for that purpose be confirmed. And it appearing that ye setling of a minister of the Gospel in any new Township to his and the People's satisfaction tends much to the Increase of Inhabitants

(1) The first minister of New Boston was Rev. Solomon Moor, a native of Newtown, Limavady, in Ireland, who received his education at Glasgow in Scotland, and studied Theology with Professor Leechman of that University. He was licensed to preach, July 26, 1762, and a few years after came to this country. In February, 1767, he arrived at New Boston, and was ordained Sept. 6, 1768, died May 28, 1803, aged 67. *N. H. Gaz.* 1823.—Ed.

[P. 211.] and y^e^ prosperity of such Town, Therefore it is considered and hereby

Resolved and Voted, That the votes of the said Inhabitants for making said Exchange be and hereby are confirmed for this purpose, and that the Lott No. 61, in second Division in said Township be & hereby shall be adjudged taken and held as part of the share of Land there belonging to said School Right and share, and the Lott No. 53 in the said Division in said Township shall be adjudged taken and held as part of the share and Right appropriated and belonging to the first minister of the Gospel in said Township, Each of said Lotts so to be adjudged taken & held to be given granted and so appropriated in Exchange for the other, to be held to & for the respective uses aforesaid forever. Sent up by Col^o^ Barr. [Concurred and assented to by the Governor.]

[P. 212.] Thursday March 10th 1768, P. M.

Whereas a Number of the Inhabitants of Hampton falls have Liberty by the votes of the Gen^l^ Ass^m^ to be set off as a Distinct Parish, the Dividing Line between the Old Parish and the New to be setled by a Com^tee^ to be appointed by the General Assembly, and have moved for such a Com^tee^ to be appointed.

[P. 213.] Voted that Josiah Bartlett Esq^r^, Doc^r^ John Giddings and Doc^r^ Ebenezer Thompson be the Com^tee^ to settle the Dividing Line above mention'd and make Report to the Gen^l^ Assembly as soon as may be. Sent up by Capt. Merrill. [Concurred and assented to by the Governor.]

Fryday, March 11th 1768, P. M.

The Com^tee^ for Receiving his Exc^y^ the Gov^r^ when he came first to the Province, laid their acc^t^ before the House, which being consider'd,

Voted That said acc^t^ amounting to one hundred seventy five Pounds eight shillings half penny Lawful money be allow'd; That they pay the sum of Eight Pounds thirteen shillings Eight pence half penny, the Ballance due to the Province into the Province Treasury and that they be thereupon Discharged. Sent up by Mr. Sherburne. [Concurred.]

A petition of sundry Quakers belonging to Hampton falls for liberty to Poll off themselves and Estates, was bro't into the House and read, and

Order'd to lay for consideration, till the Line for Dividing the Parish of Hampton falls be settled.

Col^o^ Gage, Col^o^ Wallingford & others as agents on behalf of

[p. 214.] the Towns of Dover, Durham, Summersworth, Barrington and Rochester, presented a Petition to the Gen^{l} Ass^{m} Praying that that part of the Province may be consider'd in the Division into Counties, That the Dividing Lines for the Counties may be the same as those proposed by vote of the House last Fall Sessions — which Petition was read and the agents heard thereon and then the Petition sent up to the Board by Col^{o} Wentworth.

Jour. C. & Assm. March 11, 1768. The Secretary acquainted the Board that his Excellency desired their opinion respecting a Day appointed for a Publick Fast as usual about this season of the year & recommended the 14th of April.

[p. 217.] Fryday, March 18th 1768.

In order to the speedy Redeeming and sinking all the Bills of Credit of this Province now outstanding,

Voted that the Com^{tee} appointed for Examining Bills of Exchange on the agent for this Province be and hereby is Directed to Draw Bills of Exchange for Sterling Bills of Credit as usual, till they shall have Drawn out of his hands all the money he had belonging to the Province, And that the Treasurer be Directed to Redeem and Exchange all the Bills of Credit of this Province that shall Remain outstanding with the money in the Treasury so far as the same will go at the usual Rates till they shall be all called in. Sent up by Capt. Carlton. (*a*) [Concurred.]

(*a*) Jour. C. & Assem. Votes, Bills, acc^{ts} &c, passed by the House and concurred by the Council from March 1, to March 24, 1768.

Gov^{r} assents to the Bill relative to the service of Writs of Review on petition of Ichabod Chesley.

Petition of Aaron Tibbets about Deeds that were burnt. A hearing granted.

Petition of James Gilman et alii, to make good the sale of sundry pieces of land — a hearing granted.

Petition of Samuel Gilman jun & others, to make division of certain lands — leave to bring in a Bill.

Petition of James Gilmore and alii as Executors to convey land — leave to bring in a Bill. Passed.

Acc^{t} of the Treasurer for 1767, accepted and settled: a Balance in the Treasury of £3095:13:3.

Act passed for a new proportion of Province Tax.

Petition of Jonathan Dam, of Rochester, asking liberty to tax resident and non-resident lands: granted.

Petition of inhabitants of Madbury, to be set off from Dover and to tax themselves &c — leave to bring in a bill.

(*b*) His Excellency gave his assent to the following bills.

A bill for a new Proportion.

A bill for assessing lands in Rochester for highways.

A bill to enable the Proprietors of Boscawen to collect money for certain purposes.

A Bill for a Lottery to build a bridge over Exeter River.

[P. 221.] Mr. Sec^{y} came into the House and inform'd the Speaker and the House that his Excellency required their immediate attendance in the Council Chamber.

Mr. Speaker and the House immediately went up to the Councill Chamber and his Excellency was pleased to make the following speech, viz.

Governor's Speech.

[P. 222.] *Gentlemen—*

The services more immediately before the General Assembly being completed and the legal term of their present session so nearly expired, that no advantage can arise to his Majesty's service or to the benefit of the Province from the expence and inconvenience of meeting this House again for a few days only at this season of the year, It now remaining for me to acknowledge the satisfaction that has arisen to me from the candor, wisdom and moderation with which your deliberations for the true interest of your constituents hath been steadily conducted, without acceding to remoter considerations; Rightly combining a dutifull obedience to our most gracious Sovereign and the prosperity of his subjects, in the same inseparable Principle. An undivided Harmony and union of Councils cannot fail to secure Prosperity and Respect. I entertain Peculiar Pleasure that this Province may hence Reasonably Indulge these desirable Expectations. Altho' there is not time left finally to complete the Division into Counties, yet the repeated & mature consultations have thrown such light upon this usefull and advantageous measure as will Probably terminate in an Earlier, more Extensive and more effectual conclusion thereon than has hitherto appeared Probable to the most sanguine.

Gentlemen of the Council—

I should be Deficient in Justice to your steady attachment and application to the business of the Session which hath been considered with Equal unprejudiced wisdom, thereby uniformly supporting the welfare of the Province and the Honor of Government, to omit my acknowledgments to the Honourable Board, for their zeal and steady concurrence toward the Publick good.

Gentlemen of Council & Assembly—

That it is my Duty and Happiness thus to Remark your conduct as an Assembly, so it is my Desire and Recommendation that in your respective *Counties* the same good Dispositions may be preserved and that the freeholders in their next Election will give me the Pleasure to meet an House [P. 223.] equally disposed and capable to serve their King and their Country; with this wish only Remaining, I do DISSOLVE the General Assembly of the Province of New Hampshire.

J. WENTWORTH.

Council Chamber,
Portsmouth, New Hampshire,
March 24th 1768.

After the speech the Secretary Declared the General Assembly of this Province, by his Excellency's Direction to be Dissolved.

[P. 218–220.] The following is a List of the Rateable Estates of the Several Towns as settled by the General Assembly for a new Proportion which each Town pays to £1000.

	Amount of Rateable Estate.	Proportion to £1000.	Number of Polls.
Portsmouth	£32,339: 0	£77: 2s	910
Hampton	7770	18: 10	199
Kingstown	7463	17: 16	213
Litchfield	3500	8: 6	60
Plastow	4433	10: 11	142
Atkinson	3932	9: 7	118
Boscawen	2095	4: 19	66
Nottingham	5610	13: 7	152
Bedford	2959	7: 1	86
Lee	4343	10: 7	169
Windham	3155	7: 10	73
Nottingham West	4485	10: 13	131
Barrington	6856	16: 7	209
New Markett	9330	22: 5	266
Chester	11046	26: 6	320
Rochester	7482	17: 16	225
Londonderry	17233	41: 2	455
Pelham	4617	11: 0	123
Newington	5000	11: 18	98
Amherst	6504	15: 10	203
Epsom	1405	3: 7	47
Derryfield	2000	4: 15	47
Epping	11051	26: 7	317
Kensington	7500	17: 17	182
Hampstead	6000	14: 6	140
Summersworth	9000	21: 9	212
Goffe's Town	2605	6: 4	83
Stevens' Town	1701	4: 1	52
Rye	5000	11: 18	123
Peterborough	3715	8: 17	100
Pembrook	5054	12: 1	145
Keene	4000	9: 10	106
Swansey	3000	7: 3	74
Dunbarton	2149	5: 2	61
New Town	4000	9: 10	104
Brentwood	8149	19: 8	221
Hawke	4500	10: 14	98
Hopkinton	3500	8: 6	122
Walpole	2900	6: 18	75
Rowley — Canada	2200	5: 4	65
Westmoreland	2700	6: 8	94
Candia	2900	6: 18	94
Wilton	2700	6: 8	89
Concord	6500	15: 10	179
Dunstable	5000	11: 18	104
Salem	7000	16: 13	184
East Kingstown	4200	10: 0	111
Winchester	4000	9: 10	108
Peterborough Slip	1400	3: 6	51
Sandown	3800	9: 1	120
New Castle	3000	7: 3	128
Hinsdale	1600	3: 16	38
Bow	1500	3: 11	48
Canterbury	4000	9: 10	122
Dover	14700	31: 1	384
Madbury	5300	12: 12	153
Exeter	13000	31: 0	390
Durham	10000	23: 17	249
Hampton-falls	10500	25: 0	312
New Boston	2100	5: 0	72
Gilmanton	1600	3: 16	65
Weare	1500	3: 11	60
So. Hampton	4200	10: 0	123
Stratham	9300	22: 3	242
Holles	6700	15: 19	203
Haverhill	1400	3: 6	53

	Amount of Rateable Estate.	Proportion to £1000.	Number of Polls.
North Hampton	5400	12: 17	139
No. 1	1700	4: 1	65
Mile Slip	450	1: 1	17
Gilsum	800	1: 18	31
Cornish	800	1: 18	30
Plainfield	800	1: 18	28
Poplin	3000	7: 3	104
Hillsborough	600	1: 8	26
Sanborn Town	1000	2: 7	37
Deerfield	3800	9: 1	141
Greenland	6000	14: 6	169
Raymond	3000	7: 3	99
New Ipswich	5000	11: 18	150
Merrimack	4500	10: 14	100
Lindborough	1500	3: 11	50
Charlestown	4500	9: 10	100
Monson	2000	4: 15	50
Dublin	1000	2: 07	40
Plymouth	1500	3: 11	60
Clearmont	1000	2: 7	50
No. 6 in the line of Towns	1200	2: 17	50
Gosport	0	2: 2	60
Total	419,331	1000	11,964

NOTE. The Polls in the last ten Towns are put down by supposition. No Inventorys being returned.

CENSUS OF NEW HAMPSHIRE, 1767.

NOTE. This is the first regular Census of New Hampshire found in the Province Files or Records. By it the number of Inhabitants is reckoned at 52,700. Dr. Belknap says, another estimate was made in 1774; but this is not to be found, although the number of Inhabitants was stated at 85,000. But the most correct enumeration of the people of New Hampshire is that made in 1775, which will be found, in its place, under that year.—ED.

A General Account of the Number of Inhabitants of the several Towns in the Province of New Hampshire as appears by the returns of the Selectmen from each place in the year 1767.

[Copied from a MS. Vol. in Secretary's office, labeled "Census of N. Hampshire, 1767 & 75."]

NAME OF THE TOWNS.	Unmarried men from 16 to 60.	Married men from 16 to 60.	Boys from 16 years & under.	Men 60 years & above.	Females unmarried.	Females married.	Male Slaves.	Female Slaves.	Widows.	Total.
Greenland	75	98	184	23	271	117	8	9	20	805
Rochester	86	142	257	26	280	166	3	2	22	984
Gosport	27	37	79	12	59	47	2	2	19	284
Winchester	35	64	107	10	132	74	1	1	4	428
Sandown	42	81	123	8	156	89	1	0	9	509
Somersworth	87	125	299	30	291	144	19	10	39	1044
Chesterfield	30	56	107	4	104	60	0	0	4	365
Richmond	36	54	95	1	92	52	0	0	3	333
Hinsdale	18	23	36	2	50	24	0	1	4	158
Plymouth	31	31	62	0	72	31				227
Dunstable	32	69	151	10	169	78	2	2	7	520
Portsmouth	440	641	900	61	1340	677	124	63	220	4466
Hopkinton	37	75	141	4	132	75	0	0	9	473
New Durham	11	25	42	2	49	26	0	0	2	157
Dover	186	217	347	39	500	239	19	9	58	1614
Parish of Madbury	54	95	162	29	220	119	1	2	13	695

Charlestown	31	44	86	4	114	48	1	0	6	334
Hampton	72	120	195	40	263	146	0	0	30	866
Candia	27	68	99	0	100	68	0	0	1	363
Londonderry	235	272	571	85	799	342	13	10	62	2389
New Castle	50	83	146	21	167	98	11	8	22	606
Exeter	151	241	384	37	507	262	28	22	58	1690
Walpole	24	52	104	1	72	52	0	0	3	308
Plainfield	10	20	36	.....	26	20	.....	.....	.....	112
Cornish	17	21	36	.....	37	22	0	0	0	133
Alstead	15	25	30	.....	35	25	0	0	0	130
Clarmont	13	27	50	.....	40	27	0	0	0	157
Marlow	8	15	19	.....	20	15	0	0	0	77
Newport	16	5	3	.....	.....	5	0	0	0	29
Hanover	11	26	16	.....	13	26	.....	.....	.....	92
Canaan	10	2	3	.....	2	2	.....	.....	.....	19
Lebanon	12	30	50	.....	40	30	.....	.....	.....	162
Kingston	73	133	245	23	333	160	3	1	28	999
Swanzey	23	49	82	7	96	54	1	0	8	320
Westmoreland	28	71	112	3	103	71	0	0	3	391
Keene	51	66	84	4	149	68	0	0	8	430
Monadnock, No. 4, Stoddarts To	14	20	25	.....	14	20	.....	.....	.....	93
Marlboro' No. 5	9	16	25	1	26	16	0	0	0	93
Gilsum	7	22	36	1	39	23	0	0	0	128
Croydon	16	9	7	.....	10	9	.....	.....	.....	51
Poplin	36	79	155	6	153	84	0	0	8	521
Newington	41	59	105	11	180	70	17	14	17	514
Dunbarton	25	39	70	6	80	45	2	0	4	271
Rye	46	109	159	16	223	126	11	7	39	736
Concord (formerly Rumford)	62	125	189	18	204	126	9	4	15	752
Kensington	62	107	166	28	250	118	.....	.....	24	755
Newtown	58	69	119	15	170	83	0	2	13	529
Newmarket	120	182	288	28	407	198	13	16	34	1286
Boscawen	17	45	77	8	83	52	0	0	3	285
Stevenstown	18	36	55	0	62	36	1	0	2	210
Hillsboro'	3	16	27	0	3	15	0	0	0	64
New Boston	25	41	92	6	80	47	1	1	3	296
Barrington	66	161	272	18	292	170	4	0	18	1001
Hawk	30	74	109	6	178	80	1	1	9	488
Nottingham West	49	75	155	16	176	92	1	1	18	583
Holles	81	117	223	12	227	127	1	1	20	809
Township No. 1	20	47	80	1	79	47	0	0	4	278
Mile Slip, between Holles & No. 1	4	12	15	1	24	12	0	0	0	68
Durham	104	166	272	38	386	192	21	11	42	1232
Parish of Lee	63	147	198	19	269	143	3	1	18	861
Weare Town	8	50	80	2	78	50	0	0	0	268
Chester	116	168	289	31	357	190	3	1	34	1189
Stratham	73	132	196	24	295	153	7	2	34	916

CENSUS OF NEW HAMPSHIRE, 1767 — *Concluded.*

NAME OF THE TOWNS.	Unmarried men from 16 to 60.	Married men from 16 to 60.	Boys from 16 years & under.	Men 60 years and above.	Females unmarried.	Females married.	Male Slaves.	Female Slaves.	Widows.	Total.
South Hampton	51	68	98	18	154	85	1	2	14	491
Wilton	27	62	100	3	92	63	0	0	3	350
Raymond	21	78	132	3	134	81	0	0	6	455
Bedford	30	43	93	13	117	51	6	3	6	362
Derryfield	9	31	59	7	81	38	0	0	5	230
Plastow	59	71	119	23	192	92	1	1	18	576
Atkinson	51	73	92	12	143	85	4	3	13	476
Nottingham	35	107	195	10	219	116	6	6	14	708
Epsom	15	40	71	5	66	40	0	0	2	239
Gilmanton	18	47	73	0	67	44	0	0	1	250
Pembroke	49	85	134	16	169	97	0	2	3	557
Bow	17	33	50	2	50	33	0	0	2	187
Litchfield	27	20	67	13	74	33	3	9	8	234
Pelham	37	81	154	18	158	81	0	1	13	543
Salem	63	138	239	16	204	155	2	2	28	847
Windham	19	50	117	15	120	66	1	3	11	402
Hampstead	48	96	162	10	197	105	1	0	25	644
North Hampton	28	93	142	18	189	96	0	1	16	583
East Kingston	50	58	100	20	127	81	3	0	12	451
Epping	99	205	378	21	464	214	6	3	20	1410
Brentwood	86	142	271	22	345	163	1	1	33	1064
Canterbury	42	82	138	11	140	83	3	0	4	503
Haverhill	21	32	43	1	43	29	2	1	0	172
Orford	12	14	18	1	18	12	0	0	0	75
Peterborough	33	64	113	13	149	68	1	0	2	443
Hampton Falls	127	188	313	33	457	208	3	3	49	1381
Lynesborough	26	43	76	4	71	50	0	0	2	272
Monson	21	46	68	5	101	49	0	0	3	293
Amherst	63	135	200	17	270	147	6	2	18	858
Merrimac	31	65	98	8	121	65	2	1	9	400
Rindge	18	54	84	4	82	54	0	1	1	298
	4510	7370	12,903	1230	15,982	8466	384	249	1364	52,700

[p. 225.] Province of }
New Hamp^{r} }

A Journal of the House of Representatives convened the 17*th Day of May* 1768 *in the Eighth year of the Reign of his Majesty King George the Third.*

Tuesday May 17th 1768, p. m.

There were Present in the House twenty-four of the members Returned on the King's Writ. (*a*)

(*a*) *Journ. C. & Assm.* The Sheriff made a full return of the King's Precept for a new Election, — the Names of the sundry Persons return'd for the respective towns are as follows, viz.

Portsmo'	William Parker, Esq. Jn^{o} Sherburne, Esq. Mr. Jacob Sheafe.
Hampton	Jonathan Moulton, Esq. Christopher Toppan, Esq.
Dover	Thomas Westbr^{k} Waldron, Esq. Otis Baker, Esq.
Exeter	Col. Peter Gilman, Esq. Doct^{r} John Giddings
Newcastle & Rye, jointly.	Thomas Bell, Esq^{r} Richard Jennes, 3^{d} Esq.
Kingston,	Josiah Bartlett, Esq.
Hampton Falls,	Meshech Weare, Esq.
Newington,	Richard Downing, Esq.
Stratham	Andrew Wiggin, Esq.
Londonderry,	Samuel Livermore, Esq.
Durham	Doct^{r} Ebenezer Thompson
Greenland	Clement March, Esq.
Newmarket	Mr. John Burley
So Hampton	Capt. Eliphalet Merrill.
Chester	John Webster, Esq.
Plastow, both Parishes Hampstead, jointly	Capt. Jona. Carlton.
Holles	Samuel Hobart, Esq.
Somersworth	Col^{o} John Wentworth, Esq.
Monson & Merrimack, jointly	Capt. Jn^{o} Chamberlain
Rochester	Deacon James Knowles
Kensington	Capt. Ezekiel Worthen
Barrington	Lieut. Samuel Brewster
Salem & Pelham, jointly	Maj. Joseph Wright
Keen	Capt. Josiah Willard
Winchester	Col^{o} Josiah Willard
Charlestown	Capt. Simeon Stevens.
Amherst & Bradford	John Goffe, Esq.
Nottingham West & Litchfield	Capt. Samuel Greeley

Names of his Majesty's Council.

Present,
His Excellency the Governor

Theo. Atkinson	Esqs.	Jonathan Warner	Esqs.
Daniel Warner		Daniel Rindge	
James Nevin		Daniel Pierce	
T. Atkinson, jun		Geo. Jaffrey	
Peter Livius			

The President of the Council came into the House and informed the members that his Excy had adjourned the Genl Assm till to-morrow eleven o'clock.

Wednesday May 18, 1768.

Present in the House twenty-eight of the members Returned. The Honble Colo Warner, Mr. Secy and Mr. Livius came from the Board and informed the members that they were appointed by his Excellency to administer the Oaths to the Returned members: Which was done and the Oaths and Declaration being subscribed they withdrew.

Mr. Secy came from the Board and informd the members that his Excy Directed them immediately to Proceed to the choice of a Speaker and Present him for his approbation.

The Return'd members immediately proceeded to the choice of a Speaker, and the Honble Peter Gilman, Esq. was chosen Speaker and conducted to the chair, and

William Parker Esqr John Sherburne, Esqr Colo Weare, Colo March, Colo Wentworth, Thomas Wk Waldron Esqr were desired to inform his Excy that the members had made choice of a Speaker, and whom they had chosen, and they accordingly went to the Board and Deliver'd the message.

Mr. Secy came from the Board and informed the members that his Excy approved of their choice of a Speaker.

The House then proceeded to choose a Clerk and Meshech Weare Esq. was chosen Clerk and sworn to the faithfull Discharge of that office by William Parker, Esq. Adjourned.

[P. 226.] Thursday, May 19th 1768.

A message was sent to the Board by the Clerk to desire that three members who appeared in the House and had not taken the Oaths might be qualified, viz. Mr. Toppan, Majr Wright and Deacn Knowles. [Oaths were administered to them by Colo Warner and Mr. Livius of the Board.]

Mr. Secretary came into the House and informed the Speaker

and the House that his Excy Required their immediate attendance in the Council Chamber, and his Excy then made a speech to both Houses. [a copy of which was requested.]

Rules of the House.

Voted, That the following be the Rules of this House:

1st. That whosoever shall by any misbehaviour in speech or action justly offend any members of the House shall for the first offence be admonished, and for any after offence fined as the House shall see meet.

2. That no members speak twice until every member have liberty to speak once if he Please.

3. That every member Direct his speech to the Speaker and not to one another, and when any member has a mind to speak to any case he shall stand up and ask Leave of the Speaker to Speak.

4. That whenever it happens that there are as many votes on one side of the question as on the other without the Speaker, That then the Speaker make the Casting vote.

5. That if the Speaker be absent the House may choose a Speaker pro tempore, that the affairs of the House may be carried on without stop.

6. That if any member after being qualified and enter'd shall absent himself at any time without leave from the House, he shall be liable to be fined at the Discretion of the House.

[P. 227.] 7. That if any member of this House shall be by the major part of this house tho't unfit and not qualified for said Place it shall be in their Power to Dismiss such person giving Notice to the town or precinct where he belongs to choose another to fill up such vacancy.

8. That every Bill to be pass'd in this House be read three times, and that there be two adjournments of this House before any Bill be Pass'd into an Act.

9. That the Speaker with fifteen members be a House to do business.

10. That no vote that is Pass'd in this House shall be Reconsider'd by a Less number.

Mr. Secy brog't Down a copy of his Excys Speech, which is as follows.

Governor's Speech.

Gentlemen of the Council and Assembly —

It is with singular pleasure that at my first meeting this House, I may open the Session by observing the general peace & Tranquillity that subsists throughout his Majesty Dominions and the desirable harmony and order which eminently indicates the increasing prosperity of this Province. This leaves me at present only to recommend to your consideration those general Matters usually done at this season; other measurers more immediately relating the internal regulation & advantage of the Province may be communicated by Message during the Session.

Mr. Speaker & Gentm. of the Assembly —

I have directed the Treasurer to have the Provincial Accounts adjusted & ready for your Inspection, by wch you will see the Expediency of granting an adequate supply for the support of Government the ensuing year. And you will be naturally led to consider the Wisdom & Justice of granting a permanent and fix'd Establishment for the support of his Majesty's Governor, in such manner and measure as may induce honor and respectability to the Ad-

ministrations of Government, without difficulty or inconvenience to your constituents.

I have also to recommend your providing for the repair of His Majesty's Castle William & Mary, without which the valuable Stores, ammunition & ordinance therein, will with the Walls & Buildings very soon be utterly ruined.

Gentlemen of the Council & Assembly —

Your present Experience of y^e^ many advantages resulting from former unanimity & diligence, is the most powerful motive to continue therein, and will assuredly meet my utmost assistance & readiest concurrence for the public good.

J. WENTWORTH.

Council Chamber
Portsmouth, May 19, 1768.

[P. 228.] P. M.

[Oaths administered to Col^o^ Moulton, a member for Hampton.]

Voted, That Mr. Speaker, William Parker Esq^r^. Tho^s^ W^k^ Waldron Esq. & Col. Weare be a Com^tee^ to Prepare an answer to his Exc^ys^ speech, to be laid before the House as soon as may be.

The House then proceeded to the consideration of the supplys &c. Recommended by his Exc^y^ and after Debate thereon adjourned till to-morrow 9 o'clock.

Fryday, May 20 1768.

Voted, that the Rev^d^ Doc^r^ Samuel Langdon and the Rev^d^ Samuel Haven be desired to attend the House alternately to Pray with them, and Mr. Sheafe is Desired to Inform them hereof.

[P. 229.] Mr. Sec^y^ brot Down a written message from his Exc^y^, Copy of a Paragraph of a Letter from his Exc^y^ to his Majesty's Secretary of State, and to the Lords Commissioners of Trade and Plantations, and the Earl of Hillsborough's Letter to his Exc^y^ of the 15^th^ of February 1768 — which are as follows.

His Excellency's Message.

Mr. Speaker and Gentlemen of the Assembly —

In my last Speech to the late Assembly I suggested the pleasing hopes that appeared to me of Dividing the Province into Counties. From that time it has been the object of my diligent attention, and as the only effectual means to obtain a full and early completion thereof I have humbly represented the measure and earnestly solicited his Majesty's most gracious Permission to this Purpose, as the Inclosed Paragraph of my Letter on this subject more fully explains, which I have not the least Doubt will very early be granted, and that the Province will thus enjoy the benefit of this Regulation at least twelve months sooner, even if it was accepted in any other way, and in a more extensive manner, as I find a similar measure lately transacted in a Neighbouring Province absolutely rejected most probably from Reasons that I have endeavored to avoid by the present plan.

The Inclosed Letter being so really Honorable to the Province, it is incumbent on me to communicate it to the Gen^l^ Assembly.

J. WENTWORTH.

Council Chamber,
20^th^ of May 1768.

[P. 230.] *The Paragraph of the Letter is as follows.*

"I beg leave to commend to your Lordships consideration the very great and immediate advantages that will immediately Result from Dividing the Province into at least five Counties, three of which to have their necessary Courts and County Privileges and Regulation at present, the other two to have these advantages extended to them at such future time as may be tho't proper by the Governor and Council, who from their residence must be well inform'd of Local circumstances Requisite to such determination, if Divided into five Counties in this manner: The Division may well be made as shall ever accommodate the whole Province without future alteration, which cannot be done if Divided into a less number because Regard will be had to the Present situation of the Inhabitants which bears no Resemblance to the future when the whole Province is Populated which will probably be within fifty years, and will undoubtedly be incredibly accelerated by a permission to form these Counties. At present, the Inhabitants in the Western part of the Province daily increasing, labour under great disadvantages in obtaining justice, in the Probate of Wills, settlement of Estates and Registry of Conveyances, which are now brought & accomplish'd at Portsmouth from every part of the Province, which in every instance impoverishes & in many consumes those that are compelled to submit; an action of Debt for five Pounds Ster^{g} by reason of long Travels of Principals, Evidences, &c. may frequently & justly be loaded with ten Pounds cost, and the recovery sunk in the expense of Journey, time and Delay. These are among many Inconveniences that are now sustained by the subjects from the want of Counties. There remain others of a more public & interesting concern. The Inhabitants so remote from the Courts of Justice, finding the great Difficultys in getting to Portsmouth when impelled by Their private necessities, observe the impossibilities [P. 231.] of their conduct being known and restrained by Government — Hence they will naturally decline into a wild, loose, ungovernable state, neglecting & at length resisting Laws which cannot scrutinize in order to suppress them. An Instance hereof is now under cognizance, where a gang of villains from other Provinces relying on the distance and Badness of the roads, had associated in open contempt of Government to mix, debase & counterfeit silver and gold foreign Coins, proclaiming themselves safe eno' from any power that could ever be sent from hence to apprehend them & have therefore utter'd much counterfeit coin, mostly Dollars, Pistareens & Joannes. However with very great difficulty & at some expense I have caused as many of them as could be found, to be apprehended, & confined to be tried next Term, when I hope the confederacy will be destroyed.

From the unexpected obstruction in this case & from many other local circumstances which now arise from situation, employ, manners and disposition of the Country, I am well persuaded that the good order, peace & internal Government of this Province very much depends on an early Division into Counties, whereby the Courts of Justice may be carried into all parts of the Province, maintain and diffuse a spirit of order and obedience which it is otherwise to be feared as a natural event, will degenerate into savage licentiousnes Disorders & leave open a door for endless criminalitys. I should fear myself deficient in promoting his Majesty's service in not repeating my dutifull sollisitations for your Lordships favorable representations for his Majesty's most gracious condescension to permit this measure; and that I may be instructed in what manner, Whether by an Act of the General Assembly, or by the Governor and Council, As both houses join me in being desirous to act Directly conformable to his Majesty's pleasure."

Portsmouth 20th May 1768.

Copy to his Majesty's Secretary of State
& to the Lords Commis^{rs} of Trade & Plantations.

J. WENTWORTH.

Copy by M. Weare, Clr.

Copy of Lord Hillsborough's Letter to Governor Wentworth.

Whitehall, Feb^{y} 15th, 1768.

Sr. Your Letters to the Earl of Shelburne No. 1, 2, & 3, have been Duly Received.

[P. 232.] I congratulate you upon your arrival in your Government and upon the Peace and good Order which you say subsists in the Province of New Hamp^{r}.

Sr. Your most obedient
Humble Serv^{t}

HILLSBOROUGH.

Governor Wentworth.

Fryday, May 20th 1768, P. M.

Mr. Speaker ordered his Exc^{ys} Speech at the opening of the present Session to be read Also his message of this day and extract of his Letter to the Lords of Trade, &c. which were Read accordingly and after sundry Debates thereon, it was moved that the following Question should be considered, viz.

Whether the House can under our Present Circumstances proceed to make a Supply Bill? And after sundry Debates thereon the Question was put, and it Pass'd in the Negative.

A motion was then made that it might be consider'd Whether a Bill should be bro't in for collecting the Excise y^{e} ensuing year in the same manner as the Last? which being put it Pass'd in the Affirmative.

[P. 233.] The Treasurer bro't his acc^{ts} into the House and Deliver'd them to the Speaker. Adjourned.

Saturday May 21, 1768.

The House took under consideration the affair of an Excise Bill, and after considerable Debate thereon, it was proposed that the Excise should be made a fund apppropriated for paying the Governor's salary during his Administration in case it might be collected in the same way as last year, and William Parker & Samuel Livermore Esq^{rs} and Col^{o} Weare were Desired to wait on his Excellency the Governor to confer with him Respecting his consenting to such an act. [Capt. John Chamberlain, member from Merrimack & Monson, was qualified by taking the usual oaths.]

[P. 234.] Tuesday, May 24th, P. M.

The Com^{tee} appointed to settle the Line for dividing the Town of Hampton Falls into two Parishes, made the following Report, viz.

We the subscribers being appointed by a vote of the Gen[l] Assembly to fix a line in the Town of Hampton Falls in order to the southern part thereof being erected into a distinct Parish, — Accordingly we have viewed the Premises, heard the Parties &c. and agree to Report, That a line beginning on Kensington Line near Joseph Brown's Dwelling House, at a Road called Horse Hill Road, and following said Road down to a Bridge below Weare's Mill, Then Easterly on the North line of Elisha Brown's land to the Northeast Corner thereof by the Quakers Parsonage so called, then following the Road that leads by Henry Thresher's House to the Country Road, then following the line between Land of Abraham Dow and Ralph Butler and Isaac Brown, and between said Dow and Meshech Weare Esq. to the Southeast Corner of said Weare's Marsh at Brown's River so called, then following said River to the Western end of the Parsonage Land so called, then round on the southern and Eastern sides of said Island to the aforesaid River and to the mouth thereof, shall be the Dividing line between the two Parishes.

JOHN GIDINGE
JOSIAH BARTLETT } Com[tee]
EBENEZER THOMPSON

Hampton Falls, Ap[r] 27[th], 1768.

Which Report being read and no objection made,

Voted That it be accepted and that the Petitioners may bring in a Bill agreeable thereto. Sent up by Maj[r] Wright. [Concurred.]

[p. 235.] Wednesday May 25[th], 1768.

William Parker and Samuel Livermore Esq[rs] and Col[o] Weare the Com[tee] who on Saturday last waited on his Excellency to confer with him concerning the Excise Bill for paying his Salary and to be collected in the same way as the last year &c. were sent for by his Excellency & immediately waited on him. He informed them that he was disposed to come into any measure that appeared to be for the benefit of the Province and not inconsistent with the Duty he owed to his Majesty and the trust Reposed in him by the Crown; And if an Act for appropriating and collecting the Excise in the manner proposed should be drawn with such caution as not to appear to infringe on the Prerogative, he would consent to it, and after some Conference on that subject it was proposed that a Bill for this purpose should be drawn & Presented to his Excellency. The Com[tee] Return'd and made Report to the House; Whereupon the House Desired William Parker & Samuel Livermore Esq[rs] to prepare a Bill accordingly to be laid before the House.

[p. 236.] P. M.

Upon a motion made for some more to be added to the Com[tee] for making answer to the Governor's Speech, and that they should proceed to Draw up the same as soon as may be,

Voted That Mr. Livermore, Mr. Sherburne, Mr. Toppan and Capt. Gidding be added to said Com[tee] and that s[d] Com[tee] also [p. 237.] prepare an Answer to his Excy[s] message Respecting

Counties sent down to the House on Fryday last, and that they proceed in the same as soon as may be.

[Mr. Simon Stevens, member from Charlestown, was qualified by taking the usual oaths, and took his seat in the House.]

Voted, That the Hon^ble^ Daniel Pierce Esq. be and hereby is appointed Recorder of Deeds and Conveyances of Real Estate within this Province for the term of one year. &c — [he giving the usual bonds &c.] Sent up by Col^o^ Moulton. [Concurred.]

[P. 240.] Friday, May 27^th^ 1768.

The Com^tee^ chosen to prepare an answer to his Excellency's Message of Fryday last presented the following Draft, viz.

May it Please Your Excellency —

In your Excellencys Letter to his Majesty's Secretary of State, a Paragraph whereof accompany'd your Excellency's message of Fryday last to the House, concerning the Division of the Province into Counties, your Excellency's reasoning upon the utility & Necessity of that important Measure, both for the interest of the Crown & for the ease & Happiness of his Majesty's subjects here, perfectly coincides with the sentiments of the House on this subject; And the perfect benevolence of mind towards the Inhabitants of this Province, which so visibly appears therein, fills us with the warmest sense of gratitude to your Exc^y^.

Only one thing we beg leave to observe to your Exc^y^, on the conclusion of said letter, wherein your Exc^y^ "prays to be instructed in what manner the "said Measure may be effected, whether by an Act of the General Assembly "or by the Governor & Council, as both Houses (your Exc^y^ says) join in "being desirous to act directly conformable to his Majesty's Pleasure." Our observation hereon is this, That we have always understood the sentiments of former Assemblys on this Point to have been, that this measure could not be effected but by an Act of the three branches of the Legislature of the Province. But whatever hath been the sentiments of former Assemblys on this point, the present House, after mature deliberation on the subject, are of opinion that an act of the Gen^l^ Assembly is Necessary to effect any alteration in the present jurisdiction of the several Courts of Justice in the Province, as the said Courts & their Jurisdiction now & for many years have been settled by Acts of the General Assembly of the Province confirmed by the [P. 241.] Royal assent, which Acts can in no wise consistent with the Constitution of his Majesty's Government here, be repealed, annulled or altered by the Governor & Council, which is the necessary Result & Consequence of any Division of the Province, or any new Countys, new Courts or new Jurisdiction, being erected therein, without an Act of the Gen^l^ Assembly.

We therefore ask the favour of your Exc^y^ to acquaint his Majesty's Secretary of State, as soon as possible, with this State of the case, to the end that your Exc^y^ may obtain (if need be) his Majesty's permission to divide the Province into as many Counties as may be thought necessary by an Act of the General Assembly.

Which Draft of an Answer being read and considered,

Voted That it be Presented to his Excellency in answer to his Message to the House of the 20^th^ Instant: and was accordingly signed by the Speaker and sent to his Excellency by Tho^s^ W^m^ Waldron Esq^r^ & Capt. Chamberlain.

The House took under consideration the Act relative to the Excise which was yesterday presented by the Com^tee^ Desired to prepare the same and now read a Second time. And after Debate thereon more particularly as to the appropriation for payment of his Excellency's Salary during his Administration the Question was put Whether his Excellency's Salary shall be settled on him during his Administration if the Excise Bill should pass as it is proposed as to the manner of collecting the same, and it was Determined in the Negative.

Wednesday, June 1^st^ 1768.

[P. 243] An act for continuing the Last Excise Bill to be in force for one year longer having been three times read,

Voted That it pass to be Enacted. Sent up by Mr. Jenness, Doc^r^ Bartlett, Capt. Worthen & Capt. Merrill.

Voted, That there be paid to his Excellency John Wentworth Esq^r^ our Governor, out of money that is, or shall be in the Treasury, the sum of seven Hundred pounds Lawfull money for one year's Salary, commencing on the thirteenth day of June instant to be paid half yearly, & also the sum of sixty-seven Pounds lawful money for House Rent, for the same time, and that his Exc^y^ be desired to draw the same out of the Treasury, with advice of Council, sent up by Mr. Jenness, Doc^r^ Bartlett, Capt. Worthen & Capt. Merrill. [Concurred.]

The House being informed that Daniel Pierce Esq. had continued to act as Recorder of Deeds &c. after the expiration of the term for which he was chosen, which might occasion Disputes & Difficultys, unless some proper Remedy provided for preventing the same — this matter being taken under consideration, it [P. 244.] was tho't proper That a Com^tee^ should be appointed to Examine the Recorder & the Circumstances respecting this matter, Therefore

Voted, that Sam^l^ Livermore & Meshech Weare Esq^s^ & Capt. John Gidding be a Com^tee^ for this purpose to make report as soon as may be.

Voted that John Sherburne Esq. Mr. Jacob Sheafe & Capt. John Gidding be a Com^tee^ of this House, to join w^th^ such as shall be appointed by the Hon^ble^ the Council to examine & audit the Treasurer's Acc^ts^ in the recess of the Court, and also to tell over the money in the Treasury to be burnt & lock up the same in the Province Box, and also to make enquiry wh^t^ Powder money hath been received & how the same hath been applied since the last acc^t^ thereof rendered by the Treasurer, & make Report to the Gen^l^ Assem at their next setting. Sent up by Capt. Greeley. (*a*) [Non-concurred.]

(a) Jour. C. & Assem. June 3d. The vote of the House as entered 1st Inst. for appointing a Comtee for examining the Treasurer's Accts, to tell over the money to be burnt, & to inquire of the powder M'g was considered at the Board and non-concurred, Because very different matters & such as have no relation to each other are couch'd in & tack'd together, in said vote, which this Board ever endeavor to avoid.

The Letter from the Speaker of the House of Representatives of the Province of the Massachusetts Bay of the 11th of February 1768, and the answer of the late General Assembly of this Province to the same Letter were read, And the House took under consideration what might be proper further to be done respecting the subject matter thereof. And

Voted, That William Parker, Samuel Livermore and Mr. Jacob Sheafe be a Committee to prepare in the Recess of the Court a Proper Address to his Majesty and proper Representations to be made to his Majesty's ministers Respecting the several things mentioned in said Letter and to lay the same before the General [p. 245.] Assembly, and also that they make Enquiry of the Comtee of Correspondence what advise they have received from Mr. Agent Trecothick whether he accepts the appointment of him as agent and who will continue in the agency, and what information they have had from him of the State of the Province Accompts; Particularly Relative to a Sum of about five or six thousand Pounds sterling granted by Parliament which has not yet been Received: And also if they find it needful they are to write to the agent giving him the best information they can relative thereto and to Endeavour as far as they can to obtain Payment of said Grant and a full state of the Province accompts.

Province of New Hampshire.

In the house of Representatives, June 1st 1768.

Whereas in the last vote for an Inventory to be taken in order for a new Proportion of Province Tax to be made, the towns of Chesterfield and Richmond were omitted and no Inventory taken for said Towns, and it now appearing that said Towns ought to pay their proportion of the Province Tax, Therefore

Voted, That the Selectmen in each of said Towns or the major part of them or others by them appointed at the charge of the Town whereto they Respectively belong, shall take an Inventory of the Rateable Estates in said towns as follows, viz. All male polls from sixteen years old & upwards, all slaves male and female exceeding sixteen years old, all orchard arable meadow & pasture Land, accounting so much pasture Land as will summer a cow four acres, all horses, mares and colts Distinguishing the difference of years from one to four years old, all oxen, cows and young cattle Distinguishing their age as above express'd for horses: That the person taking said Inventory shall take an oath to be admin-

istered to him by any Justice of the Peace in said Province, that they have faithfully & impartially made said Inventory, which shall be return'd into the Secretary's office with the said Inventory. at or before the last day of July next. Sent up by Capt. Merrill. [Concurred.]

[P. 246.] P. M.

The Com^tee^ appointed in the forenoon to Examine the Recorder and inquire into the circumstances of the Records &c.

Made Report That they had been to the Recorders office, That Mr. Pierce Inform'd them that he had proceeded in the office of Recorder, since the expiration of the term for which he was chosen in the same manner and with the same fidelity as before and looking upon himself as under oath. And to this Account he had made solemn oath before the Com^tee^.

Thursday, June 2^d^, 1768.

[P. 247.] Daniel Pierce Esq^r^ chosen Recorder came into the House and gave Bond to the Speaker agreeable to the vote appointing him Recorder, and also took the Oath for the faithfull Discharge of that office.

[P. 249.] Fryday June 3^d^ 1768, P. M.

The House considering the message from the Board in the forenoon respecting their nonconcurring the House's vote appointing a Com^tee^ to examine the Treasurer's Acc^ts^ &c. passed the following seperate votes.

Voted That John Sherburne Esq. Mr. Jacob Sheafe & Capt. John Gidding be a Com^tee^ of this House to joyn with such as shall be appointed by the Hon^ble^ the Council to Examine and audit the Treasurer's accompts in the Recess of the Court and also to tell over the money in the Treasury to be burnt and Lock up the same in the Province Box and make Report to the Gen^l^ Assembly as soon as may be. Sent up by Col^o^ Goffe. [Concurred & Col. Atkinson, Jona. Warner & Daniel Rindge joined.]

Voted That William Parker, Samuel Livermore and Christopher Toppan Esq^rs^ be a Committee of this House to joyn with such as shall be appointed by the Hon^ble^ his Majesty's Councill to make Enquiry what Powder money hath been received and how the same has been applied since the year 1741. Sent up by Mr. Burley. [Non-concurred.]

Saturday June 4th 1768.

[p. 250.] The Committee for Preparing an Answer to his Excellency's speech at the opening of the Present Session presented an Answer which they had prepared which was read and is as follows, viz.

May it please your Excellency —

In your Excellency's Speech to the Genl. Assm at the opening of this Session your Excellency was pleased to Recommend to this House in a particular manner the granting an adequate supply for the support of Government the ensuing year; the granting a Permanent and fixed Establishment for the support of his Majesty's Governor, and the Providing for the Repair of his Majesty's Castle William & Mary.

These subjects have severally obtained the closest attention of the House, and after mature Deliberation thereon, the House are of opinion that it would be a piece of Hardship and Injustice which they cannot well answer to grant any new Supplys to be Raised by a Tax on the Polls & Estates of their Constituents now burdened and oppressed with numberless hardships, for want of being Divided into Countys: A grievance which they had the greatest reason to expect should have been Redressed before this time, which would have enabled them to have born the burthen of taxes without Regret. This Redress the Assembly are still in Expectation is not very remote.

In the mean time the Assembly have taken proper measures for examining [p. 251.] the State of the Treasury in the Recess of the Court in order to know the proper Estimate for the service of the ensuing year; to the End that whenever the grievance aforesaid shall be Removed so that his Majesty's subjects may enjoy the benefits arising from the administration of Justice, and other County priviledges throughout the various Remote parts of the Province, the Assembly may be ready to grant an adequate supply for the support of the Government, which his Majesty's subjects by the benefits aforesaid being obtained will be enabled to pay.

The House have voted your Excellency's salary and made provision for payment thereof the ensuing year by continuing the additional Excise act which it is thought will prove Sufficient: and we hope that an Assembly of the Province of New Hampshire will never be wanting to grant yearly an honorable Support to his Majesty's Governor.

The House have also chosen a Comtee to joyn with such as the Honble Board shall appoint to Examine what Powder money hath been Receiv'd since the year 1741, the amount whereof as soon as it can be ascertained & Received we hope will be sufficient to put his Majestys Castle William & Mary in good Repair.

The other Business of the House proper for the season and such as hath occasionally come before us is finished: And the Courts of Judicature which are coming on in succession will last a considerable time. The House therefore Pray your Excellency would grant them a Recess.

The foregoing Answer being well considered by the House,

Voted, That it be Presented to his Excellency in Answer to his Speech at the opening the present Session.

Sent to his Excy by Mr. Livermore and Colo Goffe.

[p. 252.] Monday, June 7th 1768.

Mr. Secy bro't down from the Board An Act to enable three of the sons of Daniel Rogers of Portsmouth, Apothecary, to add the name *Rindge* to their Christian name, with the following vote of Council thereon, viz.

In Council, June 4th 1768.

This Bill Read a Third time and passed to be enacted.

T. Atkinson, jun. Secy.

[Concurred & passed by the House]

[P. 254.] Wednesday June 8th 1768, P. M.

Mr. Secy and Mr. Livius came from the Board and inform'd the House that the vote of the House appointing a Comtee to make Inquiry what Powder money hath been Received &c. was non concurred by the Councill for the following Reasons, viz.

1st. For the unusual & unaccustomed method used for obtaining a state of any account which the Genl Assembly have a Constitutional Right to Examine, either from the Receiver General, or any Particular Receiver, of any Dutys or Taxes which constantly hath been, by Desiring the governor or Commander in Chief to Direct the proper officer of any such Branch to lay their accounts before the Assembly; & we know of no Instance of such desire being Refus'd, and in the present case a proper application hath not yet been made to the Governor.

2d. As the Powder Received for the Tonnage Duty referr'd to, is quite of another kind, being by the act expressly appropriated for supplying the Fort and Fortifications within this province with gunpowder only, & this has been so constantly understood, no Precedent to the contrary appearing.

3d. Because the vote Directs the Committee to commence their inquiry at the year 1741, which the Council are of opinion, is too partial an Enquiry, & that it ought to begin in the year 1702, when the duty by act was made payable.

[P. 255.] Thursday, June 9th 1768.

Voted, That his Excellency the Governor be Desired to Direct the proper officer to lay before the General Assembly an accompt of what Powder or money hath been received agreeable to the Act of this Province about Powder money, and how the same hath been apply'd.

Sent up to the Honble Councill for concurrence by Mr. Livermore & Majr Wright. [Non concured.](a)

(a) Journ. C. & Assm. June 9th. [The above vote] non concurr'd for the following reason viz. That when the Council think it necessary to see the Receiver's Acct they can ask that favour of his Excellency without the concurrence of the Honble Assembly, as the House may without the concurrence of the Board, in the method as mentioned in the Council's non concurrence of the House's vote relative to their accts of Powder money of the 7th Instant.

Mr. Livius dissented and moved that his reasons for so doing might be entered on the Journal of the General Assembly, which dissention caused objections to be offered by some of the Board, that the reasons if any ought to lay upon file, and not be Recorded in the Journal; the determination of which was deferr'd to a future day.

[P. 256.] Voted That the Journals of the General Assembly of this Province from the first Day of July Last to the present time be Printed at the cost of the Province, Provided the cost of Printing shall not exceed three pence per sheet printed in the manner of the Journals of the House printed in May 1745, and that William Parker, John Sherburne and Meshech Weare Esqs. be a Com^tee to get them printed in the cheapest and best manner they can as soon as may be.

Mr. Sec^y Brot down the following Message from his Excellency the Governor, viz.

Message from the Governor.

Mr. Speaker —

An answer to the Speech of 19^th May from the Chair being presented on the sixth Inst. his Majesty's service and the Prosperity of his faithfull subjects in this Province suggested to me the following observations as essentially necessary to Recommend to the serious and candid consideration of the Hon^ble House: That a Supply Bill for the support of Government is necessary, is supposed; As the Hon^ble House adduce Reasons of grievance only for not granting it. Hence it may justly be deemed even in their opinion necessary. It may then be concluded if usefull and necessary it is surely a grievance to withhold it, neither can it be alleged to be either President or Desirable or to be in any Degree an alleviation of a grievance to place another upon it from which no possible advantage can Result. In the order it is offered, I proceed to Enquire into the grievance and oppression, earnestly Desirous to approve myself a faithfull servant to our most gracious Sovereign in exerting my utmost Diligence and attention to Remove every Burthen from his Majesty's Subjects of this Province, whose true Interest I shall continue to pursue with inflexible prseverance.

[P. 257.] That a judicious Division of this Province into Counties would be very usefull and advantageous to many, the Remote Inhabitants, is plainly evident and equally to be desired: yet it cannot be said that these remote Inhabitants are injured or suffer in the least by preffering a time (Probably but a few months) to act with Effect for the desired measure, which promises in fact to expedite and facilitate the acquirement of a beneficial Division into Counties, to a premature, uncertain, inoperative suspended Act, which the experience of a neighboring Province admonishes us would not be likely to meet approbation, and which uncertain and inconclusive as it must have been against almost hope itself: yet even this the various opinions and intercourse of Disquisition between the Hon^ble Council and Assembly so directly express'd in the Journals of the last sessions of the late General Assembly, inevitably precludes my entering into the matter without humbly soliciting his Majesty's most gracious permission, as those transactions with great wisdom tend more immediately to ascertain, that his Majesty's Royal Prerogative is herein Involved than to any other conclusion. It therefore incontestably follows that a Previous Representation of the measure for his Majesty's approbation, is the most Eligible and only apparent method which was left to obtain a just, solid and effectual Division into Counties, and that no grievance or oppression is sustained during the time that this good measure indispensably requires to transact it: but on the contrary that a real and flagrant hardship and injustice would have been laid on the subjects in deliberating upon and forming an Act which I am fully convinced would have been Rejected, and thence at least a year lost, perhaps longer; or probably the whole suspended to uncertain futurity; Such a collusive Duplicity Pregnant with these certain evils to the People I could not accede to notwithstanding the present Eclat of the expected nominal benefit which would be soon sunk in the bitterness of final disappointment; But under this arrangement will most probably terminate in half the time to the lasting and increased advantage of the

[P. 258.] Province. However that may be, nothing of this supposed grievance has hitherto been laid before the Chair, the whole matter having been agitated between the two Houses only. I cannot therefore discover the aptitude of applying the epithets of grievance, Burthens, Hardships and oppression in answer to the Speech from the Chair which recommended attention to the most interesting and Honorable concerns of the Province, and I am fully satisfied that neither my words or conduct can have any such intention, appearance or tendency.

The State of the Treasury which has been lying before the House from the first week of their Session consists of so few, so plain and established expenditures that very little time will suffice for their inspection, together with telling over the Paper Bills already Redeemed, to be burnt, which is eminently necessary to be Done for the safety of your Constituents.

Having acceded to a message of the Hon^ble House delivered to me by these Respectable Members, which message in expression and purport, widely differs from the vote for my Salary sent up to the Hon^ble Council, the Result of which I have not been inform'd of, and cautiously Regarding the certainty Due to every Legislative transaction. I am thereby much embarassed in considering this matter. Therefore I do not at present observe thereon or Remark the uncertain Provision for complying with the vote charged upon the Treasury hitherto unsupplied. and in fact being unpossess'd of any unappropriated certain fund. The Excise Act being only tho't sufficient and the continuance Referr'd to being no more than Explanatory, and more plainly coercive of the original, but is by no means additional as the Journals will evince wherein the Hon^ble House declined augmenting that Revenue the smallest fraction, tho' mov'd thereto for the convenience of calculation and Payments.

Whatever may be the State of the Receits on the Powder act, the appropriation [P. 259.] is wisely and unalterably for Powder only, the Result of enquiry thereon cannot well Delay the consideration of adequate aid to Preserve the buildings and fortifications from Ruin.

I have been constantly ready and desirous to afford every constitutional assistance in my Power to expedite and complete the various business of the Province, and have only to Regrett that so much time & Expence hath not been more conclusive, and that the Intervention of the Courts of Law which cannot at present be adjourned without manifest Detriment to those who are seeking Justice, may Render it expedient to defer an effectual consideration of these matters to a time more convenient to the Province; in which I trust the necessary business will be done with the Readiest Dispatch.

J. WENTWORTH.

Council Chamber
9th June, 1768.

Mr. Sec^y came from the Board and informed the house that the following Bills have Received his Excellency's Assent, viz.

The Act for constituting a New Parish in Dover.

The Act in addition to the Proportion Act as pass'd 22^d March.

The Act for Doc^r Rogers sons to add the name Rindge to their christian name.

The Act for erecting a new Parish in Hampton Falls.(*a*)

(*a*) Other votes, acc^ts, petitions &c. passed by the House and concurred by the Council, from May 17, to June 9, 1768.

Petition of Benj. Prescott of Raymond against his son Benj^a for fraud in depriving him of a Deed: hearing granted.

Petition of Wm. Frost and others, to make sale of certain lands: hearing granted.

Acc^{t} of Rich^{d} Jenness for wood for Gen^{l} Assem. £6: 10 lawful money allowed.

Acc^{t} of Noah Parker, for cleaning guns, &c. £16: 19 lawful money. allowed.

Nathan Rowe allowed £3: 10 for apprehending Annar Tobey.

Stephen Ames, Thos. Tarbell & Whitcomb Powers, for taking Inventory of rateable Estates of No. 1, & mile Slip, allowed £3: 9 lawful money.

William Smith and John Swan, for taking Inventory of Peterborough Slip, allowed £2: 8 lawful money.

Capt. Thos. Bell, for graving the Castle Barge &c. allowed £1: 19: 7 lawful money.

Meshech Weare for Books for Journals of Assembly &c. allowed £1: 3: 2 Do.

Wm. Appleton, for Books for Province Records, allowed £12: 0 Do.

Bill to enable Executors of the Will of Mary Prescott to sell lands &c. passed.

Acc^{t} of Daniel and Robert Fowle for paper and printing, £25: 14 lawful money, allowed.

Then the Sec^{y} by his Exc^{ys} Direction adjourned the Gen^{l} Assm. to Tuesday the fifth day of July next at ten o'clock, A. M.

Attes^{t} M. Weare, Cl^{r}.

[Journal of Council & Assembly.]

Tuesday July 5th 1768.

[His Excellency was pleased further to adjourn the General Assembly to Tuesday the 23^{d} day of August next at 10 o'clock, A. M.]

[P. 260.] **Tuesday, Augst 23^{d}, 1768.**

A number of the members met according to adjournment — and adjourned, till

Wednesday, Augst 24th 1768, P. M.

Maj^{r} Downing and Richard Jenness Esq. were appointed to wait on his Excellency and inform him there was a Quorum of the House met.

They accordingly waited on his Excellency and made Return that they had deliver'd the message and his Excellency Inform'd them that he would be at the Councill Board to-morrow.

Mr. Speaker laid before the House a Letter he had receiv'd from the Speaker of the House of Burgesses of the Province of Virginia, which was read and on file. (1)

(1) See this Letter in full with the answer thereto, in a subsequent portion of the *Journal of the House*, (date April 16, 1770, and marg. page 22.)—ED.

Thursday Aug^{t} 25th 1768.

Col^{o} Warner and Mr. Livius Bro't Down a message from his Excellency Respecting a Supply Bill, as on file.

Governor's Message.

[Copied from MS. Gov^{rs} Mess^{s} Vol. III. p. 339.]

Mr. Speaker and Gentlemen of the House of Representatives:

The incontestible importance to his Majesty's Service, and to the well being of the Province, has rendered it necessary for me to recommend to the Honorable House, that previous to all other considerations, they wou'd enter into the Expediency of granting such supplys as are just and adequate for the support of Government. That the Honorable House might have every requisite Information to this end, the Treasurer hath by my direction, some time since, exhibited the Province accounts, before the Honorable House; therefore I cannot but suppose that this measure so essentially necessary to the Province, will in a very short time be concluded. I have it also earnestly to recommend to the Honorable House that they would provide a sufficient Fund to redeem the paper Bills of Credit of this Province that are yet passing as a currency solely upon the Reliance placed on the good faith of the Province, altho' they have some time since expired by law. I flatter myself it cannot possibly be necessary to expedite the consideration of these Recommendations in their various parts by adducing Reasons to elucidate the absolute necessity of providing support for the administration of Government; or to facilitate a measure of such evident reasonableness and importance, by observing the small sum that can be necessary for the Provincial services; as little need can there be of a second thought (other than in providing means) uprightly to redeem the bills of Credit, and in doing such equal Justice thereby to support the honor & public faith of the Province. I have therefore only to assure the Honorable House, that whatever money they may grant, shall be faithfully applied to the intention of the grant with the greatest diligence and prudence: And that I trust they will enable me very soon to give a Recess to the General Court, until a more convenient season of the year.

J. Wentworth.

Council Chamber
25 August, 1768.

P. M.

[P. 261.] A message was sent to the Board by Mr. Parker to Enquire whether the Excise Act and vote for his Excy^{s} salary were concurr'd, who returned and inform'd the House that they were not concur'd.

A message was sent to his Exc^{y} by Mr. Waldron, Col^{o} Moulton and Mr. Jenness to desire his Exc^{y} to Direct the Treasurer to make out his Acc^{ts} full up to the present time.

[P. 262.] Upon a motion made Tho^{s} Westbrook Waldron Esq. was added to the Com^{tee} for preparing an Address to his Majesty &c.

Saturday Aug^{s} 27th 1768.

[P. 263.] A petition to his Majesty being Drawn up and Presented to the House by the Com^{tee} appointed for that purpose was read.

Voted That it be signed by the Speaker and sent to the agent for this Province at the Court of Great Britain to be presented to his Majesty.

NOTE BY THE EDITOR.

[It appears from a subsequent record in the *Journal of the House*, that the address to his Majesty was not sent till April, 1770. (See date, April 14, 1770, marg. page 19.) Whether the letter which here follows addressed to Barlow Trecothick, Esq., was sent at this time or afterwards is uncertain. The Documents which will be found on marginal pages 21–31 are of great interest.]

Letter to Barlow Trecothick Esq.

[Copied from MS. Corr., Vol. III, p. 299.]

Portsmouth, New Hampshire
November 17th 1768.

SIR —

The Assembly of this Province have thought their Duty obliged them to represent to his Majesty the Burdens & Hardships their constituents sustain'd by the late acts of Parliament which have succeeded the Stamp Act & almost as grievous.

This is a complaint you are sensible runs thro' the Continent of British America and as that was the case the Assembly tho't it was their Duty to let his Majesty know they were not insensible of the Ground of this Complaint, had the same value & esteem for their liberties & Privileges that his Majestys other subjects have & equally deprecate the Loss of them.

They therefore before their late Prorogation, having prepared the Petition herewith sent, ordered me to transmit it to you as agent for the Province with the desire of the House that you wou'd present it to his Majesty as soon as may be with propriety after it comes to your hands. Yet I presume this does not exclude you as their agent from judging of the fitness & expediency of the thing of the fittest time of such a presentation or whether it will be best wholly to suppress it, as you know the Temper of the Parliament ministry & of his Majesty also at the present much better than we at this distance. But must inform you I have it not in Commission from the House to offer these considerations & they are only my private sentiments suggested by the nature of the case. I must therefore submit the matter to your own judgment, after telling you that my orders were without any condition or Limitation to send it & to request that it should be presented.

I am with due Regard
Your humble servt
—— —— (No signature.)

Barlow Trecothick, Esq.
Indorsed — "Copy of a Letter
Barlow Trecothick, Esq.
Agent, London, 17 Nov. 1768."

The House taking into consideration the Letter from the Speaker of the House of Burgesses in Virginia to the Speaker of this House communicated on Wednesday last, and thereupon

Voted and Resolved, that this House *heartily* (1) concur in

(1) This word is partly erased in the record. — ED.

sentiments with the house of Burgesses aforesaid in said Letter Represented, and that the Speaker be desired to Represent the same in a letter to the Speaker of said House of Burgesses and inform him of the petition voted by this House, to be presented to his Majesty. (1)

Voted That William Parker and Samuel Livermore Esqr^s^ wait on his Excellency and inform him that a Com^tee^ is chosen to examine the Treasurer's Acc^ts^ and other things Necessary to be done Previous to making a Supply Bill which will require some time and, it being now a busie season of the year to desire that his Exc^y^ would be pleased to adjourn the Gen^l^ Ass^m^ for some time that those things might be done in the Recess.

They accordingly waited on his Exc^y^ & Return'd and inform'd the Speaker that they had Deliver'd the message and that his Exc^y^ will send an answer in the afternoon.

[P. 264.] P. M.

The Dep^ty^ Secretary bro't the following written message from his Excellency, viz.

Mr. Speaker and Gentlemen of the House of Representatives —

William Parker and Samuel Livermore Esqr^s^. having presented to me a verball message from the Hon^ble^ House informing me that the Previous steps essential to the full completion of those Recommendations in my last message to the Hon^ble^ House and referr'd to the Com^tee^ for that end already appointed, which service will necessarily Require some considerable time to accomplish, and that therefore the Hon^ble^ House well considering and judging that it is for the advantage of their constituents Request a Recess: — Hence I have tho't fit to adjourn the General Assembly of the Province of New Hampshire, and it is accordingly adjourned to the 18^th^ of October next at 10 o'clock, A. M.

J. WENTWORTH.

Council Chamber, New Hamp^r^
27^th^ Aug^t^. 1768.

Letter to the Speaker of the House of Burgesses in Virginia.

[Copied from MS. Corr. Vol. III, p. 295.]

SIR —

The very acceptable Letter from the Hon^ble^ House of Burgesses of the Colony of Virginia to the General Assembly of the Province of New Hampshire came safe to hand, and has been communicated to this House — Who gladly Embrace the opportunity of Declaring their intire concurrence with those Sentiments of Liberty expressed in your Letter; expressed with that firmness which becomes free born Englishmen, yet tempered with unexceptional Loyalty and Subjection to Parliamentary Authority, in everything agreeable to the fundamental Maxims of the British Government. It affords high satisfaction to this House, that they entertain the same views of the late grievous Acts of Parliament with the rest of their American Brethren, and which your Hon^l^ House have in a friendly manner communicated.

They have the pleasure to assure you, that they have already endeavored to represent, in a proper light, these unconstitutional Infringments upon the Liberty and property of his Majesty's faithful subjects in America, in an

(1) See said Petition in full under date April 14, 1770, on margin page 19 following. — ED.

humble petition to the King, imploring his paternal interposition for their Relief. Their Allegiance remains unshaken by all the violences which have lately been offered to the Constitution; nor do they indulge the most secret wish to see their Colonies Independent on the Parent Country; but on the contrary, feel the deepest concern at every unhappy Incident, that may have a tendency to interrupt that perfect Harmony and weaken that natural connexion, which are the Strength, Safety & Health of the whole Empire. They are very sensible, that the Duties Imposed by the late Acts of Parliament, on some of the most necessary articles of Commerce, for the sole and express purpose of Raising a Revenue, are Equivalent to the most Direct Internal taxation; and that in this Respect a power is claimed and Exercised by the Legislative Authority of Great Britain, to take what sums of money they please from the Collonies, without any Grants made by the People, who are not, and cannot be Represented in the British Parliament. And they are fully persuaded that these last Acts are, in their nature and effects very little different from the former oppressive STAMP ACT; but equally tend to the Destruction of Liberty and Commerce.

They morever consider every exertion of power to inforce these unconstitutional Acts, as Dangerous to the peace & welfare both of Great Britain & the Colonies: Especially any attempts to Deprive the Representatives of the people in America, in their respective Assemblies, of the full freedom of voting in affairs which properly belong to this Branch of authority, by sending peremtory mandates, armed with the Terrors of a suspention or Dissolution of their Legislative Power, if they Refuse to comply. Their anxiety & Distress are increased in a very high degree by the appearance of warlike preparations making at this time by Great Britain, not so much against a Common Enemy, as to intimidate her own Children, and force them into a submission to those very Burthens of which they are complaining. They are struck with horror at the very idea of Civil Wars in America, and earnestly hope never to be put to the Dreadful Alternative, either to take the Sword, or submit to give up all English Liberties.

This House will always consider it as their Duty, Honor and Highest ambition, to manifest the most sincere Loyalty & affection to their Sovereign, to do their utmost to maintain Lawful authority, and to shew Equal zeal with any of their Brethren on this Continent for the Prosperity of the Nation, & the preservation of those Liberties and priviledges which are the Impregnable Bulwarks of the British Government. And they are Determined to use their best Endeavors to prevent all Tumults & whatever tends to open Rebellion and anarchy, while they heartily unite in pursuing such sober constitutional measures as may most effectually procure the removal of all causes of complaint, fix our Liberties on a firm basis, cement the Colonies to Great Britain with all the strength of Mutual Interest, affection & Confidence, and open the obstructed Channels of National Commerce.

[No signature.]

Indorsed — "Copy of a Letter to the House of Commons in Virginia."

[P. 265.] Tuesday 18th Octr 1768.

Some of the members but not a Quorum met according to adjournmt [& adjourned till]

Wednesday Octr 19th 1768.

P. M.

[P. 266.] Mr. President of the Councill bro't down from the Board the Report of the Comtee chosen to examine the Treasurer's Accts which is as follows, viz.

Province of New Hamps^{r} } October 19th 1768.

We whose names are hereunto subscribed being appointed a Com^{tee} by the Gen^{l} Ass^{m} to examine the Treasurer's acco^{ts} have attended that service and have carefully examined the foregoing acc^{ts} of the Hon^{ble} George Jaffrey Esq. Treasurer &c. and find them well vouched and Right cast, and accordingly beg leave so to Report the same. The Ballance due to the Province being Nineteen Pounds four shillings & Eight Pence three farthings Lawful money exclusive of outstanding Taxes.

Theodore Atkinson
Jonathan Warner
Daniel Rindge
John Sherburne
John Giddinge
Chris^{t} Toppan
} *Committee.*

Mr. President also inform'd the House that the Paper Bills they had counted were in the Box Ready to be burnt, and also proposed that some person or persons might be appointed if the House tho't proper to take some of the good Bills to exchange for old.

[P. 267.] Tuesday 20th October 1768, A. M.

The Clerk being absent, Voted That Samuel Hobart Esq. be Clerk pro Tempore.

The Hon^{l} Daniel Peirce & George Jaffrey Esq^{s} brought the following written message from his Excellency, viz.

Mr. Speaker & Gentlemen of the House of Representatives —

An exact state of the Treasury being now ascertain'd & again laid before the Hon^{ble} House, by my command to the Treasurer, it must readily appear that supply is necessary to be granted for the support of Government, also to redeem the yet outstanding Bills of Credit, & to pay the Muster Rolls & Incidental charges of his Majesty's Castle William & Mary now due — The Justice, Honor & utility of this measure had they not heretofore been observed, could not but have occurred to the Hon^{ble} House, as the indispensable object of their early consideration. I entertain singular Pleasure in having it in command to signify his Majesty's most gratious approbation of his Province [P. 268.] of New Hampshire, which is communicated to the Hon^{ble} House in the Extract of the Earl of Hillsborough's Letter herewith, that so great & desirable an Honor may not suffer diminution from any other expression. This ample testimony of the Wisdom that hath happily distinguished this Province hitherto, cannot fail to be an irresistible motive to persevere therein, & is the most powerfull reason to expect that permanent prosperity will be the Result. I think it expedient to communicate the Paragraph in the same letter relating to the Division of the Province into Counties, whereby the Honorable House will undoubtedly perceive the ready attention paid to that important subject. It is my earnest recommendation that the Business now under deliberation may be dispatch'd with the greatest assiduity that may effect the Publick service which will assuredly meet my utmost aid & readiest concurrence.

J. WENTWORTH.

Council Chamber,
20th Oct. 1768.

Copy of the Extract of a letter from the Right Honbl. the Earl of Hillsborough, dated

Whitehall, 9th July, 1768.

"It is his Majesty's Pleasure that you shou'd assure his faithfull subjects in New Hampshire, that his Majesty has nothing more at heart than to promote their welfare & Happiness, whose chearful obedience to the Laws of this Kingdom & steady Resolution in refusing to accede to the measures & Proposals which have been urged with so much indecent warmth in other Colonies cannot fail to recommend them to his Royal Favour & Countenance."

"As the Propriety of a Division of the Colony into Counties has already been before the Lords of Trade, those parts of your letter which relate to this matter will be very proper for their Lordships consideration, & I think I may venture to assure you, that final Justice and due attention will be given to the reasons you urge in support of this measure; at the same time I cannot but think, that it wou'd have been a still greater Inducement to the recommendation of it, if the Proposition had been accompanied w^th^ some assurances of a propper support of such Establishments as a Constitution of this nature necessarily requires.

To his Excellency
Governor WENTWORTH."

P. M.

[p. 269.] The Acc^ts^ of the Hon. George Jaffrey Esq. Treasurer being read,

Voted, That the same be allowed, and that he charge himself with the Ballance therein mentioned, being nineteen pounds four shillings & eight pence three farthings, & also with the Money render'd as outstanding Taxes in the several places therein mention'd, amounting to Three hundred & thirty one pounds nineteen shillings & one peny half peny Lawful Money, which will make the Treasury Acc^ts^ more plain & Easy to be settled in future.

Fryday, Oct. 21st 1768.

The Treasurer's Acc^ts^ past yesterday were this day sent to the Board by the Clerk and a message to the Board to Enquire whether the Excise Bill was passed by the Councill, as the House have under consideration making a Supply Bill to Desire the Councill will pass upon the Excise Bill now before them.

Voted That William Parker, John Sherburne and Josiah Willard, Esqrs. be a Com^tee^ to prepare an act to enable the Treasurer where aid is wanting to collect outstanding taxes.

[p. 270.] Saturday Oct^r^. 22^d^, 1768.

An Act for supplying the Treasury of the Province with the sum of two thousand & two hundred Pounds Lawful money for the currant year to be apply'd as is therein Declared, Having been three times read,

Voted That it pass to be Enacted. Sent up by Coll° Willard, Deac^n Knowles & Capt. Chamberlin. [Concurred and passed.]

Monday Oct^r 24, 1768.

[P. 271.] Mr. Jaffrey Brot from the Board the Petition of Sundry Inhabitants of Gilsum & Westmoreland praying to be Incorporated into a Distinct Town. — which being considered and the votes of each Town showing their willingness, also a Plan produced,

[P. 272.] Voted That the Petitioners have liberty to bring in a Bill for incorporating said Town Prayed for, the Bounds to be agreeable to the said Plan. Sent up by Col° Goffe. [Concurred.]

The following is the Report of the Com^tee for telling money in the Treasury to be burnt, viz.

Province of New Hamp^r } September 14^th 1768.

The Committee appointed by vote of the Gen^l Assm. to tell over and Receive from the Treasurer such sums as might be in the Treasury to be burnt agreeable to the several Acts for emitting the same, have accordingly accompted & Received from Mr. Treasurer Jaffrey the following sums, viz.

Of the first Emission	£1: 2: 6
2^d	1
3^d	0: 0: 0
4^th	89: 4
5^th	43: 9
6^th	19: 0
7^th	23: 11
8^th	640: 18: 6
9^th	687: 12: 10 1-2
	£1504: 18: 10 1-2

Sterling in Sterling Bills, also Forty pounds nine shillings Sterling for a Bill of Exchange. We have also Received in Canada & Crown Point Bills Received by the Treasurer for Taxes, outstanding Taxes and money Exchanged for Silver and Gold — Nine thousand Two Hundred & Six Pounds Twelve shillings & Two pence one Farthing New Tenor, all which sums we have locked up in the Province Strong Box & now waits the order of the General Assembly.

Theodore Atkinson
Jonathan Warner
Daniel Rindge
John Sherburne } Committee.
Jacob Sheafe
Richard Downing

Whereas the managers of the Isle of Shoals Lottery have represented to the Gen^l Ass^m That they have used the best methods they could for selling the Ticketts for the first class of said Lottery; [P. 273.] But by reason of the scarcity of money there are but few of said Tickets sold, and they have no prospect of the sale of the Tickets sufficient to carry the Design of the act into Exe-

cution, and Prayed the Direction of the Gen^{l} Ass^{m} herein: which representation being considered,

Resolved and voted, That the Managers of s^{d} Lottery give publick notice that such as have purchased Tickets may receive their money again by applying to them and producing the Tickets, and that said Lottery be carried on no further. Sent up by Mr. Wiggins. (*a*)

(*a*) Jour. C. & Assm. Nov. 25th P. M. A member bro't up from the House a vote permitting the managers of Isle of Shoals Lottery to recal the Tickets sold by them and return the adventurers their money, it being found impracticable (on account of the scarcity of cash) to dispose of them: Sent down on an amendment proposed.

Wednesday, Oct^{r} 26th, 1768.

Voted, That Col^{o} Clement March, John Sherburne Esq^{r} and Mr. Jacob Sheafe be a Committee of this House to joyn with such as the Governor & Council shall appoint to Farm out the Excise on Spirituous Liquor for one year commencing the first Tuesday in September last, agreeable to an Act Passed the present session of the General Assembly "for continuing the last Excise Bill to be in force for one year longer." To be farmed to such Receiver or Receivers as they shall judge Best, to be Commissioned by the Governor to make a faithful Collection hereof and authorized to prosecute any offenders against the Laws in this case provided, & that the money arising thereby be put into the Province Treasury to be apply'd to the uses of Government as the Governor, Councill & Assembly shall order, and that the Receiver or Receivers to whom the same shall be farm'd shall^{l} give security to the Treasurer of the Province for the time being as said Committee shall Direct for paying into the Treasury all such money as they shall so agree for. Sent up by Capt. Greeley.

The Petition of the Selectmen of Charlestown for establishing and clearing a Road from said Charlestown to Merrimack River, being read and considered,

Voted, That the Petitioners have liberty to bring in a Bill to oblige the Proprietors of the several Towns through which said Road marked out as mentioned in the said Petition passes, to clear and make said Road Passable. Sent up by Capt. Willard.

[P. 274.] Mr. Sec^{y} Bro't from the Board the Resolve of the House Relative to the Managers of the Isle of Shoals Lottery and Informed the House the Council will concur it with this addition, That the Petitioners for said Lottery Pay the Managers the Expence they have been at in attempting to carry the Design into Execution.

Mr. Sec^{y} brought from the Board the vote of the House for a Com^{tee} to farm out the Excise sent up this day with the following vote of Councill thereon, viz.

In Council, Eodem die.

Read and concurred with this amendment viz. That no member of Councill or Assembly shall be a purchaser of the Excise Revenue or Surety for the Payment thereof, and that the Security given shall be by Bond and Confession of Judgment in some of his Majesty's Courts of Record within this Province, or before two of his Majesty's Justices of the Superior Court of Judicature in any vacation, and entered in the Records of said Court.

T. Atkinson, jun. Secy.

P. M.

The Petition of William Moulton and James Paul of Stonington in the Great Cohass in behalf of themselves and the Rest of the Proprietors & Inhabitants of said Stonington for a Road to be cleared from said Stonington to Moultonborough &c. being Read & Considered.

Voted, That the Petitioners have Liberty to bring in a Bill for clearing and making Passable a Road through said Towns of Wolfesborough, Tuftonborough, Moultonborough and other Townships and Tracts of land where said Road can best be made and most Direct to Stonington mentioned in the Petition and to subject [p. 275.] the Proprietors of the several Townships or Tracts of Land already granted to clear and make passable said Roads through their Respective Townships or Tracts, and if said Road shall Pass through any ungranted Lands the proprietors of said Stonington may cause the same to be clear'd and made Passable and Render an accompt of the cost thereof to the General Assembly; which account being allowed the grantees to whom said Lands may hereafter be granted shall pay part of such accompt in proportion to the Part they shall obtain of such ungranted Lands through which the Road passes. Sent up by Docr Bartlett.

The vote of Councill on the House's vote for a Comtee to farm the Excise bro't down this Day read and unanimously nonconcurred, and

Voted to adhere to the vote of the House as sent to the Board. Sent up to the Board by the Clerk.

Also the vote respecting the managers of the Isle of Shoals Lottery bro't Down from the Board in the forenoon for an amendment, was sent up again with a verbal message by the Clerk, That the House could not think it proper to oblige the Petitioners to pay the managers the expence they have been at or to oblige any others before the managers accts were bro't in & allow'd.

Thursday, Octr 27, 1768.

Whereas a vote pass'd in the House and was sent to the Honble Board in May 1767 for an allowance for officers, Soldiers &c. for fort William & Mary, which vote we are informed by a message from the Board was not pass'd by the Councill, and this matter being again considered by the House,

[p. 276.] Voted, That there be allowed and paid unto his Excellency John Wentworth Esq^r as Captain General and Commander of his Majesty's fort William & Mary the sum of one hundred Pounds as an allowance for Officers and Soldiers Billeting and all charges and Expences relative to said Fort from the 25^th^ of March 1767 to the 25^th^ of March 1768, to be paid out of the money that is or may be in the Treasury.

Voted [also] £140, as an allowance for same, from the 25^th^ of March 1768 to the 25^th^ of March 1769. Sent up by Capt. Merrill.

An Act to Prevent the Disorders commonly committed on the fifth of November & the Evening following under Pretence of celebrating the Anniversary of the Deliverance from the Gunpowder Plot, having been three times Read

Voted, That it pass to be Enacted.

[p. 277.] The Dep^y Sec^y bro't from the Board the Petition of William Moulton and James Paul for a Road to Cohass with the following vote of Council thereon. viz.

In Council, Oct^r 27, 1768.

Concurred with the following Amendment, viz. That a Road be cut from Stonington in the most commodious Pass to Moultonborough, Tuftonborough or Wolfsborough to meet the Road already cut from those Respective Towns to the Town of Portsmouth.

Which Vote of Councill was read, and

Voted That it be concurr'd. Sent up by Mr. Baker.

[p. 279.] Saturday, Oct^r 29^th^ 1768.

An Act for Establishing and making Passable a Publick Road or highway from the Town of Charlestown to the Town of Boscawen, read a third time, and

Voted, that it pass to be Enacted. Sent up by Maj^r Hobart.

Voted, That the Journals of this Assembly be continued to be Printed until further order at the cost of the Province, and that William Parker, Esq^r be a Com^tee^ to get them transcribed and to agree with the Printer for fifty Copys to be printed and take care respecting the same.

Mr. Livius Bro't down from the Board the Act for clearing a Road from Charlestown to Boscawen, and inform'd the House that the Councill Proposed the following Amendments to the Act, Provided that nothing in this Act contain'd shall be construed to Extend to charge any Right or share or any Lott of Land was, is or shall be exempted from the Duty of settlement, and of paying taxes to carry on the same —

Provided also, That the accompt of said Com^tee^ in cutting the said Road be laid before the Gen^l^ Ass^m^ & there approved previous to the sale of any Land to Discharge the said Acc^t^.

Also That the Council Proposed that Col° Lutwich should be added to the Com^tee on the part of y^e Board;—which proposed Alterations the House took under consideration, and it was put to vote whether the House would make the first alteration Proposed, [p. 280.] and it passed in the Negative. It was then put to vote whether the House will make the second Alteration proposed, and it passed in the affirmative, and while the House were considering on the third of appointing Col° Lutwich one of the Com^tee,

Mr. Sec^y came into the House and said he was Directed by his Excellency to Prorogue the Gen^l Ass^m of this Province to Tuesday the third Day of January next and Declared the same Prorogued accordingly. (*a*)

Att^t M. Weare, Clr.

(*a*) Votes, Petitions bills, acc^ts &c. passed by the House and concurred by the Council from Aug^t 23^d to Oct. 29, 1768.

Petition of Josiah Sanborn & Joseph Hoit, of Sanbornton, to sell delinquent proprietors lands; leave to bring in a bill.

Tho^s Parker's petition to cancel a judgment of the Inferior Court, in a case brought by Jn° Penhallow — hearing granted.

Enoch Poor's petition for a re-hearing of a case — hearing granted.

Joseph Follett's petition respecting a judgment obtained against him by one Nathaniel Thompson — hearing granted.

Inhabitants of Raymond petition for a Com^tee to locate a meeting-house — hearing granted; & Committee appointed, viz. John Webster, Col. Ebenezer Eastman & Capt. Eliphalet Merrill.

Petition of Samuel Peirce & Anna Mitchell guardians of heirs of Rob^t Mitchell, to sell lands in Weare town — hearing granted.

Petition of Samuel Gerrish for a hearing at the Superior Court on an action brought by John Parker — hearing granted.

Petition of inhabitants of Hampstead, for liberty to collect an assessment, &c — hearing granted.

Act to prevent Riots on the 5^th November, enacted.

Committee to tell over money to be burnt — discharged.

An Act respecting Proprietors of Common & undivided lands, passed.

Petition of Aaron Tibbets, for a hearing of a case relative to some Deeds burnt in his house — granted.

Vote by the Council to burn Counterfeit Bills, presented by Daniel Pierce, Esq.

Before the meeting of the Assembly, his Excellency by Proclamation further Prorogued the Gen^l Ass^m to Tuesday the 21^st of Feb^y.

[p. 281.] Tuesday, Feb^y 21^st, 1769.

Some of the members being met the Sec^y by his Excy^s Direction adjourned the Gen^l Ass^m till tomorrow 10 o'clock.

Wednesday Feb^{y} 22^{d} 1769, P. M.

Col^{o} March, Col^{o} Wentworth and Col^{o} Goffe were appointed to wait on his Excellency the Gov^{r} and inform him that a Quorum of the members were met.(*a*)

(*a*) [Members of Council (1)
His Excellency JOHN WENTWORTH, Esq. Governor, &c.

Theodore Atkinson
Daniel Warner
Theo. Atkinson, jun.
Peter Levius
Jona. Warner
} Esqs.

Daniel Rindge
Daniel Pierce
Geo. Jaffrey
Daniel Rogers
} Esqs.]

Thursday, Feb^{y} 23^{d} 1769.

The Hon^{ble} Sec^{y}, George Jaffrey and Daniel Rogers, Esqrs. bro^{t} Down from the Board the following written message from his Excellency.

Governor's Message.

Mr. Speaker and Gentlemen of the Assembly —

I have now to Repeat my earnest Recommendations that the Hon^{ble} House would effectually consider the allowances Due for the respective services of Government which are now near two years in arrear: Also to Provide an immediate Redemption for the Outstanding Paper Currency of this Province. These things you are sensible cannot be longer deferr'd without manifest Dishonour to the Province and Injury to its Inhabitants. I shall then be Ready with great alacrity to consider and concurr with the Hon^{ble} Councill and House of Assembly in any proper Bill for Dividing the Province into five Counties, three of which to be immediately Enfranchised with the necessary Jurisdictions and Regulations, and the other two to be adjoyning to them untill their abilities and advantage shall induce his Majesty's Governor with the Hon^{ble} Council to extend the actual Jurisdictions and Regulations to them.

Whatever other business may be necessary shall be communicated during the Sessions which I doubt not will be conducted with Diligence, Harmony and Wisdom, the unfailing Principles of Publick Respect and Prosperity.

J^{r} WENTWORTH.

Council Chamber
23^{d} Feb^{y} 1768.

[P. 282.] The first part of his Excy^{s} message being considered.

Voted, That John Sherburne, Tho^{s} W^{k} Waldron, Christopher Toppan, Samuel Livermore, Esq^{r} and Capt. John Giddinge be a Com^{tee} to Examine what allowances have not yet been made for Debts or services for the Government and for what time.

Voted, That Mr. Speaker, William Parker, John Sherburne,

(1) James Nevin, Esq., one of his Majesty's Council and Collector of the Customs for Portsmouth, died on the 6th of February, in the sixtieth year of his age. He was much respected in office, the duties of which he discharged with fidelity. He was born in Scotland and was a Post Captain in the British Navy. John Hughes of Philadelphia succeeded him as Collector.— *Ad. Annals Portsmouth.*

Tho^{s} W^{k} Waldron, Samuel Livermore and Meshech Weare Esqs. be a Com^{tee} to consult what method may be most proper for sinking all the outstanding Paper Bills and draw up a Scheme for the same to be Laid before the House for their consideration.

[p. 283.] Fryday Feb^{y} 24th 1769.

The Petition of Robert Wallace and others Inhabitants of Londonderry &c. Representing that the Election of Samuel Livermore Esq. to Represent the said Town of Londonderry was illegal &c, being considered,

Voted, That it be Dismiss'd.

Voted That William Parker, Thos. W^{k} Waldron, Samuel Livermore and Meshech Weare Esq^{rs}, be a Com^{tee} to consider what may be proper to be Done respecting Establishing the value of money, and to Prevent the taking Excessive Usury as the Acts of this Province relative thereto have been disallow'd by his Majesty, (*a*) and to Prepare Bills which may be proper for this End to be laid before the House for their consideration as soon as may be.

(*a*) *Order in Council disallowing certain Acts.*

[Copied from MS. "Addresses to the King, 1707-1775," p. 162.]

At the Court of St. James's,
the 12th Day of August, 1768.

Present

The King's most Excellent Majesty.

Duke of Grafton	Viscount Falmouth
Duke of Rutland	Viscount Barrington
Duke of Queensberry	Viscount Villiers
Marquess of Granby	Lord North
Earl of Litchfield	James Stuart Mackenzie, Esq.
Earl of Hillsborough	Thomas Harley, Esq^{r}
Earl of Shelburne	Sir Edward Hawke.
Viscount Weymouth	

Whereas by Commission under the Great Seal of Great Britain the Governor Council and Assembly of his Majesty's Province of New Hampshire are authorized and Empowered to make constitute and ordain Laws Statutes and Ordinances for the publick Peace, welfare and good government of the said Province, which Laws, Statutes and ordinances are to be as near as conveniently may be, agreeable to the Laws and Statutes of this Kingdom and are to be Transmitted to his Majesty for his Royal approbation or Disallowance; and, Whereas in pursuance of the said Powers five Acts were passed in the said Province in 1765 and 1766 which have been transmitted, Entitled as follows, viz.

An Act for granting to Edward Emerson the sole Privilege of Erecting necessary works for & carrying on the Manufacture of Potash in the Town of Portsmouth.

An Act for ascertaining the value of Coin'd Silver and Gold and English Half-pence and Farthings and the rates at which they shall pass for the future in this Province.

An Act to restrain and prevent the taking excessive Usury.

An Act to make void a certain fraudulent Deed therein mentioned, to Declare the Record thereof to be void, and that neither the said Deed nor any copy thereof may be given in Evidence in any case whatsoever.

An Act to enable Daniel Merrill, John Hale and Henry Hale Junior to review and prosecute in the course of the Law certain Actions wherein they were Defendants and were Defaulted by mistake and judgment entered against them in Causes, which upon a fair Tryal would have been against the Plaintiffs as they supposed.

Which Acts together with a Representation from the Lords Commissioners for Trade and Plantations thereupon having been referred to the Consideration of a Committee of the Lords of his Majesty's most Hon^ble^ Privy Council for Plantation Affairs the said Lords of the Committee did this Day Report as their opinion to his Majesty that the Said Acts ought to be Disallowed — His Majesty taking the same into his consideration was pleased, with the advice of his Privy Council, to Declare his Disallowance of the said Acts; and Pursuant to his Majesty's Royal Pleasure thereupon expressed the said Acts are hereby Disallowed, Declared void and of none effect — Whereof the Governor or Commander in Chief of his Majesty's said Province of New Hampshire for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly.

STEPH. COTHELL.

[NOTE. On the same day by the same authority, the following Act was approved and confirmed by his Majesty, viz.]

An Act for a more easy and expeditious method of making partition of land or other Real Estate held in Common.

[Also by the like authority, on the 26^th^ day of June 1767, the following Act was disapproved and disallowed, viz.]

An Act for ascertaining what places may send Representatives to the General Assembly

[P. 284.] Tuesday, Feb^y^ 28, 1769.

An Act to restrain the taking Excessive usury having been three times Read,

Voted that it pass to be Enacted. Sent up by Capt. Greeley. [Concurred and passed.]

A message was sent to the Board by the Clerk to Enquire whether the vote of the House in June last for his Exc^y^ Salary is concurr'd by the Council.

Mr. Sec^y^ came from the Board and Inform'd the House that the vote Enquired after was concurr'd in Councill the 29^th^ of Oct^r^ 1768, and Assented to by the Governor.

Wednesday, March 1^st^ 1769.

[P. 285.] Voted that Mr. Speaker, John Sherburne Esq^r^ Col^o^ Moulton, Thomas Westbrook Waldron Esq^r^ Samuel Livermore Esq^r^ and Col^o^ Willard be a Com^tee^ of this House to joyn with such as shall be appointed by the Hon^ble^ the Council to consider of the best method for Dividing the Province into five Counties

and to make Report of their opinion thereon as soon as may be. Sent up by Capt. Merrill. [Concurred and Hon^ble^ Theo. Atkinson, Daniel Warner, Mark H. Wentworth, Peter Livius, Daniel Pierce and Daniel Rogers Esqrs. added on the part of the Board.]

P. M.

A message was sent to the Board by the Clerk to Enquire whether the votes pass'd in the House and sent to the Board in October last for an allowance for Officers &c. at the fort, were concurred by the Councill.

Mr. Jaffrey came from the Board and Inform'd the House that the Votes Enquired after were not concurr'd by the Council.

Thursday March 2^d^ 1769.

An Act for Erecting part of the Township of Gilsum and part of the Township of Westmoreland into a New Township by the Name of Surry having been three times read,

Voted, That it pass to be enacted. Sent up by the Clerk. [Concurred, passed and assented to by the Governor.]

P. M.

The Com^tee^ for considering the best method for dividing the [p. 286.] Province into five Counties attending on that business, the House adjourned till to-morrow nine o'clock, and so from time to time, till

Tuesday, March 7^th^ 1769. (*a*)

(*a*) Allowance voted by the House and concurred by the Council.

To Theo. Atkinson, as Secretary	£120,	lawful money for	two years.
To Thos. Packer, Sheriff	8, 00,	do	two years.
To Wiseman Claggett, Attorney General	30,	do	two years.
To Dr. Samuel Langdon, Chaplain	5,	do	two years.
To Rev. Mr. Haven, as Chaplain	5,	do	two years.
To Rev. Arthur Brown, as Chaplain to Council	5,	do	two years.

Voted, That each member of his Majesty's Councill be allowed [p. 288] and paid six shillings and five pence pr Day for every Day of their attendance in General Assembly from the 17^th^ Day of May 1768 untill the Dissolution of the present General Assembly, and also two pence half penny pr mile for travelling to and from the siting of the General Assembly every time the General Assembly is adjourned or Prorogued from Saturday till Monday or for any longer time During the said term, to be paid by the Treasurer upon a Certificate from the Secretary. Also that each member of the House of Representatives be allowed and paid the sum of six shillings pr Day for every Day of their

attendance in General Assembly from the said 17th Day of May 1768 untill the Dissolution of the present General Assembly, Also two pence half penny pr mile for travelling to and from the Place of the siting of the General Assembly every time the General Assembly has been or shall be adjourned or Prorogued from Saturday till Monday or for a longer time, Except such as live more than 20 miles Distant from the place where the General Assembly sitts, who are not to be allowed travel unless when the General Assembly has been or shall be adjourned or Prorogued for a longer time than from Saturday till Monday; But when the adjournment or Prorogation has been or shall be from Saturday to Monday, instead of travel to be allowed one Days pay, and that the said members be paid by the Treasurer upon a Certificate from the Clerk of the House of Representatives, Also that the Clerk of the House of Representatives be allowed the sum of six shillings pr Day for each Day of his attendance in General Assembly in that capacity Exclusive of his wages as a member of the House of Representatives to be paid him by the Treasurer upon a Certificate from the Clerk of the House of Representatives — all the allowances here made to be paid out of money that is or shall be in the Treasury.

Sent up by Majr Hobart, 8th March.

[p. 289.] An act for Establishing and making Passable a Publick Road or Highway from the Town of Charlestown to the Town of Boscawen, which Act was passed in the House in October last and sent to the Board and bro't back for some alteration — which alteration being now made the Act was again passed and sent to the Board.

P. M.

The affair of dividing the Province into Counties being under consideration a motion was made that his Excellency may be desired to lay before the House the Instructions or Directions he has Received from the ministry respecting that matter.

Which motion being considered,

William Parker, John Sherburne & Colo Goffe Esqrs. were appointed to wait on his Exc^{y} and Request that he would be Pleased to lay the Instructions he has received respecting Dividing the Province into Counties before the House who made report to the House that they had deliver'd the said message to his Excellency who returned this answer that all he had Relative to the subject was to this effect — The Secretary of State had signified to him that he had it in command from his Majesty to inform the Gov^{r} he had his Majesty's permission to consent to Dividing the Province into Counties as proposed by an Act of Assembly Provided the Act contained a suspended clause that it should not take effect till his Majesty's Pleasure shou'd be known. Adjourned.

Wednesday, March 8th 1769.

The method of Dividing the Province into Counties and Places for holding the Courts was under consideration and largely Debated.

[P. 291.] Thursday March 9th 1769, P. M.

An Act for laying out and clearing of an highway from the Township of Stonington (1) through the Townships of Lancaster, Dartmouth (2), Benton, Tamworth, Sandwich, Moultonborough, Tuftonborough & Wolfeborough, having been three times read,

Voted that it Pass to be Enacted. Sent up by Mr. Webster. [Concurred & passed.]

Whereas the People of this Province have long complaind that the omission of Dividing the Province into counties was a matter of great Grievance Especially to those who Inhabited the [P. 292.] Remote parts of the Province, that every kind of Civil as well as Criminal administration must be transacted in the Metropolis of the Province, the Necessity & Expediency of which Division has some time since been strongly & truly Represented by our Governor to some of his Majesty's Members, the Propriety & Necessity of which has by them been recognized and his Excellency having Informed this House that he had his Majesty's Permission to consent to an Act of Assembly for that Purpose with the usual suspending clause, the House on the first day of March instant made choice of a Comtee of this House to joyn with such as the Honorable his Majesty's Council should appoint to agree on the Extent, bounds & such other matters Relative to each County as were necessary to be fixed Previous to the Draft of an Act for that Purpose and to make Report to the House who soon after Reported to the House that after consultation with a Comtee of Council appointed for the Purpose aforesaid they Differ'd in sentiments on the subject and could not unite in opinion in the most material points to be settled, whereupon the House came to the following Resolve and Vote thereon viz. That their duty to their Constituents Required them to do every thing Legally in their power to carry into Execution a measure so long desired & expected and therefore to propose, since no other has taken effect, a method & scheme which they apprehend wou'd best suit the Business & Circumstances of the people with

(1) *Stonington.*— A name not now found in the list of towns, was incorporated, 1761, and thus bounded: viz. "Beginning at a maple Tree which stands on the easterly side of Connecticut River, and is about Thirty miles on a straight Line from Ammonusuk Rivers mouth, and from thence Northerly up Connecticut River as that runs about Nine miles on a straight Line to an Elm marked standing on the Southerly side of the mouth of a small Brook running into the Connecticut River & carrying that Breadth back between Two East Lines so farr as that a Parallel Line to the strait Line from the maple aforesaid to the Elm aforesaid will make the contents of six miles square." [*See Charter Rec. Vol. II. p.* 285.]—Ed.

(2) "Dartmouth" — now called Jefferson.

which as their Representatives it must be presumed they are best acquainted, and further as the Executive Courts are by Law appointed to be held at Portsmouth the Removing of them to be held at any other time & place can not be constitutionally done without an Act of Assembly and as the proposed agreement has not taken effect the House offer the Method hereafter expressed as that which in their apprehension will be most Beneficial to the people of any yet suggested, and therefore, Voted unanimously that this Province be divided into five Counties, the first to be Bounded as follows, viz.

Beginning at the mouth of Piscataqua river so called, and running up said River to the line between Newmarket & Durham, thence following Durham line to Nottingham, thence north on Durham line to the N. E. Corner of Nottingham, thence by Nottingham line to the corner of Chichester, thence southerly by the head line of Nottingham to Chester line, thence East by Chester line to the N. E. corner of Chester, thence by Chester line to Kingstown, thence between Sandown and Hawke & so between Newton & Plaistow to the Province line, thence by said line to the Sea and by the Sea to the first bound, Including that part of the Isles of Shoals that belongs to this Province.

[p. 293.] Second County to be bounded as follows, viz. By the line between Newmarket & Durham, then following Durham line to Nottingham, then by Nottingham line to the corner to Chichester, thence southerly by the head line of Nottingham to Allenstown, thence between Allenstown & Epsom & between Chichester & Bow and between Canterbury & Concord to Merrimack River, and up said River thro' Winnepiseokee Pond to Wolfborough, then by Wolfborough South and East lines & Watertown North line to the Province line, then South by said Line down the River to Hilton's Point, then up said River thro' the Great Bay to the line between Newmarket & Durham aforesaid.

The third County bounded as follows, viz. Beginning in the Province line between Newton and Plaistow and Sandown & Hawke to Chester & between Chester & Poplin to Allenstown, & between Allenstown & Epsom and Concord & Canterbury to Merrimack River, then up said River to the North side of Salisbury, then westerly to the North End of Sunnipee Pond, then southerly to the South end of said Pond, then to the N. E. Corner of No. 8, then between No. 8 & Hillsborough, then between No. 7 and part of the land of Mason's Patent so called & No. 6, & said Land, & between Dublin and Peterborough, and between Temple & No. 2, between Ipswich & Rindge to the Province Line & Easterly by said line to the South Easterly corner of Plaistow the first bound.

The Fourth County to be bounded as follows, viz. to Run from the Province line North by the line of the third County line

to the North End of Sunnipee Pond, then North to the North East Corner of Savil, then to the North East Corner of Grantham, from thence by the North lines of Grantham & Plainfield to Connecticut River, then on the River to the Province line, then East on the Province line to the first bound.

The Fifth County to contain all the Land in the Province to the Northward of the other four Counties within the lines of the Province. The places where the Courts shall be held to be as follows:

In the first County two Inferiour Courts, two Courts of General Sessions of the Peace, and one Superiour Court at Portsmouth; one Inferiour Court and one Court of General Sessions of the Peace at Hampton; one Inferiour Court and one Court of General Sessions of the Peace, and one Superiour Court to be held at Exeter.

In the Second County two Inferiour Courts, two Courts of General Sessions of the Peace and one Superiour Court to be held at Dover; one Inferiour Court and one Court of General Sessions of the Peace to be held at Durham; and one Inferiour Court and one Court of General Sessions of the Peace to be held at Rochester.

In the third County, One Inferiour Court and One Court of General Sessions of the Peace and one Superiour Court to be held at Chester; and one Inferiour Court and one Court of General Sessions of the Peace and one Superiour Court to be held at [P. 294.] Merrimack; One Inferiour Court and one Court of General Sessions of the Peace to be held at Concord; and one Inferiour Court and one Court of General Sessions of the Peace to be held at Londonderry.

In the fourth County two Inferiour Courts and two Courts of General Sessions of the Peace and one Superiour Court to be held at Keene; two Inferiour Courts and two Courts of General Sessions of the Peace to be held at Charlestown.

In the fifth County two Inferiour Courts and two Courts of General Sessions of the Peace and one Superiour Court to be holden at Plymouth; One Inferiour Court and one Court of General Sessions of the Peace to be held at Piermont, and one of each of these to be held at Moultonborough, all yearly, Said Countys to be named as the Governor shall appoint & the time of holding the said Courts in each County to be such as shall be hereafter agreed on by the Governor Council & Assembly, all of which to be ascertained in the Act for constituting, erecting & Incorporating said Counties with the necessary duties & lines & for granting the usual Privileges & franchises; but that the fifth County be not invested with the actual Powers of Exercising the rights & Privileges of a County till the Governor & Council shall judge there are People dwelling in the same sufficient for that purpose, & in the mean time the Inhabitants there be deemed

to belong to such County as the Governor and Council shall order & that a Bill be bro't in accordingly. Sent up by Col° Moulton, Doc^r Bartlett, Maj^r Wright & Maj^r Willard.(*a*) [The vote received and read.]

(*a*) Votes of allowance, &c., from March 10th to 14th 1769.

Col. Goffe, allowed £8: 13: 6 for holding sundry meetings.

Samuel Gerrish petition for a new hearing — granted.

Capt. Bell's muster Roll 1767 allowed £189: 17: 5 lawful money.

Capt. Bell for graving the Gov^rs barge, £1: 0: 4, Do.

Capt. Bell, for soldiers in Fort Wm. & Mary 1768, £155: 18: 5 3-4 Do. for his own supplys £5: 7: 3 lawful money.

Dan^l & Rob^t Fowle for printing Journals of the House, £20: 0: 0 Do.

Abiel Chandler, for taking Simeon Miller to goal, £4: 18: 10 Do.

Eleazar Russell, for Gov^rs postage 1767 & 1768, £11: 2: 10 1-2 Do.

Do. for Gov^rs postage, 1769, £12: 12: 10, Do.

Isaac Brown, for apprehending Ruth Blay (1) £10: 0: 0 Do.

Benj. Clough, for service, at the trial of Ruth Blay £1: 10: 0 Do.

Do. for two journeys of Sarah Graves, 0: 18: Do.

Miriam Morrill, for attendance, as witness, 0: 18: Do.

Wm. Cooper, for Accts, relative to Ruth Blay } 1: 2:
Do. " } 18: Do.

Stephen Rogers, in full for his acct. relative to Ruth Blay, 18: Do.

Capt. Eliphalet Daniels accts for supplying prison £15: 14: 4. Do.

Ezekiel Gummer, door keeper, allowed, 3*s* per day &c. for services.

Doct. Josiah Bartlett's acct. £1: 4: 0.

Petition of Judith Winn, for a hearing in Court — granted.

[All concurred.]

[p. 297.] Mr. Livius bro't from the Board the votes of the House of the 7th Inst. for the allowances to the Rev^d Dr. Langdon, the Rev^d Mr. Haven & the Rev^d Arthur Brown, for their attending & praying with the Council & House, that the Rev^d Mr. Brown attended in the Council constantly & Pray'd with them, & that Mr. Langdon & Mr. Haven attended in the House by turns; that Mr. Brown's Duty and service was as much as both theirs, & yet his allowance for his duty was no more than one of them, when it ought to be as much as both.

Mr. Warner bro't from the Board sundry acts for the sale & Expences of vending the Excise, in 1768 & 1769.

Mr. Secretary bro't from the Board the votes of the House for the allowances of the members of the Hon^ble his Majesty's Coun-

(1) "Friday, December 30th, 1769, Ruth Blay, of South Hampton, was executed in pursuance of the sentence of death pronounced upon her by the Superior Court at August term last. She was indicted for concealing the birth of a bastard child, so that it might not come to light, whether the said child was born alive or not. Wiseman Claggett, Esq. was the King's Attorney who conducted the prosecution. The Court were, Theodore Atkinson, Chief Justice, Thomas Wallingford, Mesheck Weare and Leverett Hubbard, Justices. She was convicted by the verdict of a Jury, and sentenced to be hanged by the neck until she should be dead. This sentence was executed by Thomas Packer, Sheriff of the Province, on a ridge of high land in a field, belonging to the south parish, lying on the south road, leading to Little Harbour. She was buried in the same field, near the bottom of the hill. A vast concourse of people attended." [*Ad. Annals, Portsmouth, p.* 224.]

cil, and the members of the House, sent up the 7th Instant, concurred with this amendment, viz. That each Member of the Council be allowed five shillings pr Day, for each day of their attendance & each of the members of the House, be allowed three shillings per day, for each day of their attendance conformable to the Law of this Province.

Mr. Warner bro't from the Board the Act for making a public Road from the Town of Charlestown to the town of Boscawen, with a Motion that Capt. John Parker of Portsmouth might be put into said act as one of the Comtee to see said Road completed, instead of Edward Goldstone Lutwyche Esq.

Voted That Capt. John Parker be put into said Act instead of said Lutwyche. Sent up by Col. Goffe.

Tuesday March 14th, 1769.

[P. 298.] The House took into consideration the amendment bro't from the Board this day, respecting the allowances to the Honble Members of the Council, & the Members of the House for their attendance &c. And altho' many of the members of the Assembly are oblig'd to Travil much farther than in the year 1718 when the wages of the Honble Board & House was settled by the Province Law, yet to avoid any needless disputes on the matter,

Voted That the proposed amendment of the Honble Board be concurr'd, provided they receive their pay at three shillings one farthing lawful money pr Day, the value of five shillings at the time the Law of the Province in this case provided was pass'd. Sent up by the Clerk.

Samuel Hobart, Cl'k, P. T.

Mr. Secy bro't from the Board the votes of the House for the allowances for the Members of the Honble Council & the members of the House concurr'd with this amendment, That each Member of the Assembly receive one shilling & ten pence pr day for each day of their attendance.

Eodem Die — Read & Concurr'd. Sent up by Col. Goffe.

Saml Hobart, C. P. T.

[P. 299.] Upon a Motion being made that the allowance to the Revd Mr. Brown for his attending as Chaplain to the Council should be ten pounds for his attendance, instead of five, which motion being considered,

Voted, That the House adhere to their former vote. Adjourned.

Wednesday, March 15th 1769. (a)

(a) Jour. C. & Assm. Mar. 15. The petition of Samuel Hall of Portsm°, setting forth That he improves the Land where, and near the Gallows on which Ruth Blay was Hang'd, was fixed; and had the year before made a considerable Q'tt'y of new Fence and Stone wall, which was almost broke to pieces and thrown down by the crowd of people who attended the Execution, and other damage done to his Pasture by the Horses, for which he charges £10 Lawful money, and prays that as the Execution of all Criminals are defrey'd at the public Expense, his case may be considered and damages allow'd — Read.

P. M.

Mr. Sec^y, Mr. Rindge and Mr. Rogers bro't from the Board the following Resolve, viz.

Province of New Hampshi^r

In Council March 15th, 1769.

The expediency and utility of Dividing the Province into Counties being [p. 300.] generally acknowledged in order to the more convenient administration of Justice to and among the Inhabitants of this Province Especially those of the more remote Western and Northern parts thereof — And as his Exc^y the Governor has been Pleased to signify by a message to the Assembly his Inclination that the Province should be Divided into five Counties, three of which to be immediately Enfranchised with their necessary Jurisdictions and Privileges and other two not to be sett off till they are better cultivated and have more Inhabitants Resident thereon, and as the Assembly have sent up a Resolve to the Council for their concurrence for dividing the Province into and ascertaining the lines of five Counties, four of which to be immediately Enfranchised &c. which Division appearing to be unequal & proposing one more active County than was Recommended by the Governor — His Majesty's Council taking the same into their consideration came to the following Resolve, viz. That agreeable to his Excellency's Message the Province be Divided into five Counties, three of which only to be Enfranchised at present, the other two to Remain till the Governor with advice of Councill may think them properly Qualified to extend to them the Requisite Franchises.

First County, Bounded Northerly by Piscataqua River from the mouth thereof to the line between Durham and Nottingham & between Nottingham & Barrington, & between Chichester and Epsom, & between Concord and Canterbury, to Merrimack River, and down the same to the dividing line between this Province and the Massachusetts Bay, then Easterly following the Dividing line aforesaid to the Sea, then by the Sea to the mouth of Piscataqua River where the bounds began, with that part of the Isle of Shoals which lies in this Province, and all that part of Bow lying on the Westerly side of Merrimack River to be included in this County.

Second County, Beginning at the Northerly line of the First County between Newmarket and Durham, and following said line to Merrimack River, then [p. 301.] up said River to Winipesiokee pond, and on the Southerly side of said pond to the Westerly corner of Wolfeborough and on the Northwesterly side of said Wolfeborough & continued to the Northwesterly Corner of Leavitts Town so called, and from thence on the Northwesterly side of said Leavits Town to the Province Line, and so on said Province line to Hilton's Point, and from thence to the River westerly to the bounds first mentioned.

Third County, Beginning at the Province line on the westerly side of Merrimack River where said Line crosses the same, from thence westerly as the Province line Runs to Connecticut River, and up said River Northerly to the Northwesterly corner of Clairmont, & from thence to the Northeasterly corner of Bakerstown on Pemegewasset River, all the Towns divided by this

line to belong to this County & from thence thro' Pemegewasset River & Down said River to the Bounds first mentioned — where Merrimack divides any Town or Towns, they are to belong to the first County.

Fourth County, To begin at the Northwesterly corner of Clairmont, then up thro' Connecticutt River to the Northwesterly corner of Haverhill, then on the Northerly sides of Haverhill Coventry & Peeling, then on the Easterly side line of Lincoln to the Northeasterly corner thereof, then by an Easterly line to the Town of Chatham, & on the Northerly side of said Town to the Province line, then southerly on the Province line to the Northeasterly corner of Leavitt's Town (1), then on the Northwesterly side of Leavitt's Town & across the ungranted land to the Northerly corner of Wolfeborough & on the Northwesterly side of Wolfeborough to Winipesiokee pond, and on the southerly side of Winipesiokee pond to Winipesiokee River, down said River into Merrimack River to the Northerly corner of Boscawen, from [p. 302.] thence by a strait line to the Northwesterly corner of Claremont, being the bounds first mentioned. If any Town or Towns are divided by this line they are to belong to the Third County.

Fifth County, To begin at the Northwesterly corner of Haverhill, to Run up & thro' Connecticut River to the Province line, then on the Province line southerly by said line, untill it meets with the northerly corner of the Town of Chatham, then on the northerly side of said Town, to the Northwesterly corner thereof, from thence on a strait line to the northeasterly corner of Lincoln.

And as it would be very inconvenient at present to set off & enfranchise the fourth and fifth Counties, it is Resolved, that they be hereafter enfranchised & set off by an Act of the Governor and Council, according to the lines herein before described, whenever it shall appear to them expedient, and that for the present the following Townships be annexed & included in the Third County, viz. Cornish, Saville (2), Croydon, Plainfield, Grantham, Protectworth (3), Lebanon, Endfield, Grafton, Hanover, Canaan, Cardigan (4), Lime, Dorchester, And that the remainder of the fourth & fifth Countys be for the present annexed & included in the Second County.

Read & order'd to be sent down to the Hon^ble Assembly for concurrence.

T. Atkinson, jun. Sec^y.

Which Resolve of Council being considered,

Voted, That Mess^rs Waldron, Weare and Livermore be a Com^tee to prepare an answer. Adjourned.

[p. 304.] Thursday, March 16^th 1769.

The Com^tee appointed to Prepare an Answer to the Resolve of Councill bro't down yesterday Presented the Draft of an Answer which was read and is as follows, viz.

In the House of Representatives, March 16^th, 1769.

The Resolve of the Hon^ble Councill of the 15^th Inst. concerning the Division of the Province into Counties being Read and Duly Considered, The House are of opinion that the Division therein set forth would not be so advantageous to the Province as the Division set forth in the Resolve of this House of the 9^th Instant

(1) Now called Effingham.
(2) Now, Wendell.
(3) Now, Springfield.
(4) Now, Orange. — Ed.

on that subject. The House having considered not only the present Inhabitants of the Province but also the Lands capable of being inhabited to any tolerable degree hereafter together with the situation and conditions of the Roads, Rivers, ferrys, Mountains, Markett Towns &c. all which eminently point out the usefulness of the said plan of Division adopted by the House. Therefore

Voted and Resolved, That the said Resolve of the Hon^ble^ Councill be non-concurrd, and that the House adhere to their s^d^ Resolve of the 9^th^ Inst. with this alteration, viz. That only three of the said five supposed Counties be Enfranchised at present, the other two to Remain till the Governor with advice of Councill may think them properly qualified to extend to them the Requisite franchises.

Which Answer being consider'd, Voted that it pass and be sent to the Board for their concurrence. Sent up by Col^o^ Willard, Doc^r^ Bartlett & Lt. Burley.

[p. 305.] The votes for allowance to the Rev^d^ Doc^r^ Langdon Mr. Brown and Mr. Haven bro't down from the Board by Mr. Livius to be altered as to the sum, as by a message from the Board the 14^th^ Inst. being considered, Voted That the Proposed Alteration be made, That Mr. Brown's allowance be ten Pounds. Said votes were sent up to the Board again by Mr. Burley.

P. M.

Mr. Sec^y^ and Mr. Rogers bro't down from the Board the following Resolve of Council, viz.

Province of New Hamp^r^ } In Councill 16^th^ of March 1769.

The remote situation of the Inhabitants about Connecticutt River in this Province Rendering the administration of Justice to them very expensive and difficult which is a matter of Real grievance and just Complaint, for the future Removal thereof, It is Resolved that the westerly part of the Province be set off in a Separate County by the following lines.

To begin at the Province line between New Ipswich and Rindge, then Northerly between the said Towns, between Temple and Monadnock No. 2 (1), between Peterborough and Dublin, between part of the Land of Mason's Claim or pattent and No. 7 (2), Between Hillsborough and No. 8, to the Northeasterly Corner of No. 8, (3) then Northerly to the south end of Sunnipee Pond, then easterly to the North End of said Pond, then North to the Northeast Corner of Savil, then to the Northeast corner of Grantham, then by the North lines of Grantham & Plainfield to Connecticutt River, then on the River to the Province line, then East on the Province Line to the place began at.

Read and ordered to be sent down to the Hon^ble^ House.

T. Atkinson, jun. Sec^y^.

[p. 306.] Which Resolve of Council being read and consider'd voted that it be concurr'd. Sent up by Mr. Wiggin.

(1) No. 2 is now called Wilton.
(2) No. 7 is now Hillsborough.
(3) No. 8 is Washington. — Ed.

An Act to Enable the several Towns & Parishes in this Province to choose persons at their respective General Meetings to examine and seize Bread under the weight by Law Established, having been three times read,

Voted That it pass to be enacted. Sent up by Capt. Chamberlain. [Concurred and passed.]

Mr. Secy and Mr. Rogers bro't down from the Board the following Resolve in Council, viz.

Province of New Hampr.

In Council 16th March, 1769.

Resolved That a County be set off by the following lines — to begin at the Province line between New Ipswich & Rindge & from thence to follow the lines of the westerly County as described in the vote of the 9th Instant, & the Resolve of Council of this day as far as the north end of Sunapee pond, & then by the northwesterly lines of Dantzick & Heidelbourg, (1) by the northerly line of Heidelbourg, and by the northwesterly line of Emery Town (2) to Pemigewasset River down the same to Merrimack River, and down the same to the Province line, & along the said line to the place begun at. The Towns Divided by this line are to remain in the Easterly County & the Towns of Derryfield (3), Litchfield & Nottingham West to be added to the County now described if those Towns think it will be most convenient to them.

Read and order'd to be sent down to the Honble Assembly for concurrence.

T. Atkinson jun. Secy.

[p. 307.] The Resolve of Councill last bro't down being consider'd, Voted that it be concurr'd. Sent up by Colo Goffe & Mr Baker. Adjourned.

P. M.

Mr. Livius and Mr. Rogers bro't down the following vote.

In Council March 17th 1769.

His Excellency the Governor having recommended the Division of the Province into three active Counties and two others to be hereafter set off; and the Councill and house having concurr'd in setting off two westerly Counties it yet remains to Describe the line by which the two Counties hereafter to be set off may be bounded. The Council are of opinion that the following lines would be most suitable.

To begin at Connecticutt River at the northwesterly Corner of the Western County and follow the northerly line of the said County and of the middle County to Pemigewassett River Down the said River to the mouth of Winipiseokee River up the same to the lines between Canterbury and Gilmantown along the same, then along the Northwesterly and Northeasterly lines of Barnstead and along the Northwesterly line of Rochester to Newichawannock River. All to the Northward of the said lines to be hereafter by Act of the Governor and Councill set off and Divided into two Counties by such lines as then shall appear to be suitable whenever the abilities & Exigencies of ye Inhabitants thereof shall Render it necessary and convenient. Read and ordered to be sent down to the Honble House for their concurrence.

T. Atkinson, jun. Secy.

(1) "Dantzick and Heidelburg," were sections which now embrace New London, Danbury and part of Sutton.

(2) The town of Andover was formerly called "Emerytown," from the name of one of the original settlers. It was also called New Britain.

(3) "Derryfield," now Manchester.—Ed.

[p. 308.] Saturday March 18th 1769.

The vote of Councill bro't from the Board by Mr. Livius & Mr. Rogers, being read and considered,

Voted, That it be non-concurred. Sent up to the Board by Capt. Worthen and Capt. Merrill.

Tuesday March 21st 1769, p. m.

Mr. Warner and Mr. Rogers bro't down from the Board the following Resolve in Council, viz.

Province of N. Hampr
In Council 21st March, 1769.

Whereas the Honble Assembly have concurr'd the votes of Council for Establishing the lines for setting off from the first County the two Western Countys, & as it yet remains that the line between the first County and the two Northern Counties proposed to be at present without the exercise of County Privileges & that nothing may be wanting on the part of this board that may contribute to compleat the division, do further Propose & 'tis hereby Resolved that a line beginning at the mouth of Piscataqua River & up the same to the line between Durham and New Markett, and by that line and the line between Durham and Nottingham, and between Nottingham and Barrington, & between Chichester and Barnstead, and between Gilman-
[p. 309.] town & Canterbury to Winipesiokee River, then down said River to Merrimack River, and down Merrimack River to the dividing line between this Province & the Massachusetts Bay, (including those towns within this County which are divided by Merrimack River) then easterly following the said dividing line between said Provinces to the Sea, then by the Sea to the mouth of Piscataqua River, where the bounds began, including that part of the Isles of Shoals that belong to this Province, shall be the bounds of the first County, setting off Litchfield, Nottingham West and Derryfield to the nearest Western County if desired by said Towns, and the other Part of the Province not included in this and the other two Western Countys, be divided into two other Counties.

The within Resolve Read & ordered to be sent down to the Honble Assembly for concurrence.

T. Atkinson, jun. Secy.

The Petition of Joshua Bean and William Bean of Brentwood of the people called Quakers for relief from a Tax assess'd on them in the year 1758 for charges of the war and Representing they had done their proportion &c. Being Read and consider'd, Order'd That the Clerk of the House write to the Selectmen of Brentwood to inform them that they may offer what they think Proper Relative to the above Petition on the third Day of the siting of the General Assm after the fourth day of Aprl next as a Hearing on the Petition of John Scribner and others Relative to the same matter is appointed on that Day.

Wednesday March 22d 1769.

The Resolve of Councill bro't down yesterday Read and Concurr'd. Sent up by the Clerk.

Mr. Secy and Mr. Peirce bro't down the following Resolve, viz.

Province of New Hampshire.

In Council, 22d March 1769.

The Council and House having concurr'd in lines for Dividing the Province [p. 310.] into three Active Counties, It is further Resolved That all the Land within this Province not contain'd in Either of the said three Counties be hereafter sett off by Act of the Governor and Council according to the following lines whenever it shall appear Expedient to the Governor & Council.

The Fourth County, To begin at the Northwesterly corner of Canterbury down Winipiseoke River to the mouth of Pemigawasset River, up the same Round the westerly End of Campton and along the Northerly sides of Campton, Sandwich & Tamworth and thence strait to the Province line on the same course with the northerly line of Eaton, southerly along the province line to the north westerly Lines of The First County & along the same to the place begun at.

The Fifth County, to contain all the land in this Province not contain'd in any other County. And for the present the following towns shall be annexed & included in the most Westerly County untill the Before mentioned Divison by Act of the Governor & Council shall take place viz. Lebanon, Grafton, Canaan, Relhan,(1) Hanover, Cardigan.(2)

The remainder of the Fifth County and all the fourth County to remain annex'd and Included in the first County for the present.

Read and order'd to be sent down for concurrence.

T. Atkinson, jun. Secy.

P. M.

The Resolve of Councill bro't from the Board in the forenoon consider'd and concurr'd with this amendment — That the County wherein Dover is contain'd be one of the Active Counties at present, and that one of the Western Counties whichever the Governor and Councill shall Please be annexed to some other County untill the Governor and Councill shall think Proper to extend to them their proper Privileges. Sent up by Docr Bartlett, Mr. Burley & Majr Willard.

[p. 311.] Whereas this House have concurr'd the several votes of the Honble Council for Dividing the Province into Counties and the Dividing lines are thereby agreed on, and it is necessary also to Determine the proper places for holding the Courts in the several Countys before an Act is drawn up for Establishing the aforesaid Division, Therefore,

Voted, That there be held annually two Courts of Commo Pleas, two Courts of General Sessions of the Peace and one Superiour Court in the town of Portsmouth, and the like Number of Courts in the Town of Exeter for the County wherein

(1) Relhan, now called Enfield.

(2) Cardigan, now Orange.—Ed.

those Towns are situated. [Sent up to the Board March 23d by Docr Thompson.]

The Comtee appointed to Determine the most suitable Place for seting a meeting House in the Parish of Raymond make the following Report, viz.

Province of New Hampr } Novr 11th 1768.

Pursuant to the aforegoing vote, we have viewed the said Parish and agree to Report that we think the site of a Meeting House at the westerly End of the Lott No. 37 Laid out to Samuel Shaw at a place called Sled Hill will best accommodate said Parish.

Which is Humbly submitted by

John Webster
Ebenr Stevens } Comtee
Eliphalet Merrill

Which Report was Read and Ordered to lay for Consideration.

Mr. Levius and Mr. Rogers bro't Down from the Board the Resolve of Councill of the 22d Inst. with the vote of the House thereon concurring with an Amendment, upon which vote of the House the Council have pass'd the following Resolve, viz.

Thursday, March 23d 1769.

[P. 312.] Province of New Hampr } In Councill, March 23d 1769.

Read and non-concurred, and unanimously Resolved to adhere to our former Resolve.

T. Atkinson, jun. Secry.

Which Resolve of Councill being consider'd

Voted, That it be concur'd. Sent up by Majr Downing, Mr. Jenness & Majr Hobart.

P. M.

The House thinking it best to know the Determination of the Councill on the vote of the House respecting the Places for holding the Courts in the first County before they send up any other votes, adjourned till to morrow nine o'clock.

Fryday March 24th 1769.

Hearing nothing from ye Councill, adjourned to three o'clock P. M. [and so from time to time, till]

[P. 313.] Tuesday March 28th 1769, P. M.

Mr. Secry, Mr. Jaffrey and Mr. Rogers Bro't from the Board the vote of the House of the 22d Instant Relative to the Places where the Courts should be held in the first County, with the following vote of Council thereon, viz.

In Councill, 28th March 1769.

Read and concurr'd with this amendment, that there be two Superior Courts annually held in the Town of Portsmouth, and no Superior Court held in the Town of Exeter.

T. Atkinson, jun. Secy.

Which amendment Propos'd by the Council being Read was unanimously non-concur'd, and

Voted to adhere to the vote of the House as sent up. Sent up by Majr Hobart, Capt. Worthen, Capt. Merrill.

Mr. Secy came from the Board and Informed the Speaker and the House that the Vote of the House sent up by Majr Hobart and others was unanimously non-concur'd by the Councill. Adjourned.

Wednesday March 29, 1769.

Mr. Secy and Mr. Warner bro't down the following Resolve in Councill, viz.

Province of New Hampshire } In Council, 29th March 1769.

The Council & House having concurr'd in the lines of three Counties to be immediately set off,

It is Resolved, that there be annually held in the Western County, Two Courts of General Sessions of the Peace, Two Inferiour Courts of Common Pleas, & one Superiour Court in the Township of Keen, & two General Ses-
[p. 314.] sions of the Peace & two Inferiour Courts of Common Pleas in the Township of Charlestown. Read and order'd to be sent down.

T. Atkinson, jun. Secy.

Mr. Rindge & Mr. Rogers bro't down the following Resolve in Council, viz.

Province of New Hampshire } In Council 29th March, 1769.

Resolved, That there be annually held in the Third or Middle County one Superiour Court, four Inferiour Courts of Common Pleas, and four Courts of General Sessions of the Peace, in the Town of Amherst. Read & ordered to be sent down.

T. Atkinson, jun, Sec.

P. M.

The Resolves of Councill Respecting the Places for holding the Courts taken under Consideration and a Comtee appointed to Prepare a vote to send up. Adjourned.

Thursday, March 30th 1769.

Message from the Board by Mr. Jaffrey, That he was Directed by his Excellency to Inform the House that there was a Demand this Day made on the Treasury by one Person for the Exchange

of Paper Bills to the amount of Six Thousand Pounds Old Tenor.

Whereas the Hon^ble his Majesty's Councill have sent down to this House two votes of the 29^th Instant Declaring the Places for holding the Courts in the Westerly and Middle Counties to be [p. 315.] Erected in this Province, and the House conceiving it would be most convenient to settle the Places for holding the Courts in all the Propos'd Counties in one Act, have Resumed the consideration of that matter with Respect to the Lower or Easterly County, which being an important article for the accommodation of the People, The House are Desirous it may be Reconsider'd and hope the Hon^ble Councill will Readily concur in the Proposal and joyn with the House in the motion, and that the matter may appear in a just light, the House would offer the grounds and Reasons which induce them to think that in this County half the Courts ought to be Removed out of the Town of Portsmouth and held in some other Place or Places in the County, viz. The great End of all government is the good of the Govern'd, and the Institution of Courts is for the benefit of the People for the security of their lives and Properties by a Regular Administration of Justice and due Execution of the Laws, the Tenure by which they hold both; which Depends on a due knowledge of facts, without which the Rules of Law cannot be Rightly applyed — That the facts Relative to any controversy bro't before a Court of Justice are to be proved by matters of Record or by matters transacted in the Country or among the People. There are few cases determined merely by the former kind of Evidence and the latter kind can be only by the oaths of witnesses and they are generally to be found residing where the Cause of Action arises of which not ten in a hundred of disputed actions has hitherto happened at Portsmouth — That the right Determination of a cause depends more on the Examination of Witnesses before the Jury in open Courts than upon anything whatever where the right knowledge of the facts is the point in question, & therefore the Common law allow'd no other way, nor has any statute or Provincial law Provided an adequate remedy or method in Lieu thereof. This makes some other place than Portsmouth absolutely necessary to hold at least half the Courts at which the trial is final for this County, — To have the advantage of Examining witnesses in open Court, without which Justice is often eluded, and for the ease of Witnesses, Parties & Jurymen, not only with regard to their Travel but as to the Expence of their support, it often happening the Courts are necessarily adjourned to such seasons as horse-keeping and other necessaries are very expensive here which would be much cheaper at some other place — That the house apprehend that these are the principal reasons which can be really of any weight in the settling the places of the Courts sitting — All other considerations being foreign to the good of the people and without this

advantage the setting off this County will be rather a Burden than service to the people for it will Increase the charge and if the remote parts are still to come here to transact all Publick [p. 316.] Business, What ease and relief have they under their present grievance. That in the consideration of this matter the house have endeavour'd to Divest themselves of all Partiality and pray the Hon^ble^ Board wou'd candidly consider their Profess'd motives. And as this House judge the Town of Exeter to be the most central of any part of this County and fittest for the Purposes aforesaid, it is hereby

Resolved and voted, That one Superior Court two Inferior Courts and Two Courts of General Sessions of the Peace be holden at Exeter yearly, or that one Inferior Court and one Court of General Sessions of the Peace be holden at any such other place as the Council shall judge propper out of the Town of Portsmouth, but that one Superior Court, two Inferior Courts and two Courts of General Sessions of the Peace be held yearly at s^d^ Portsmouth which scheme the house apprehend will give General Content in the Province. Sent to the house in the afternoon by Col^o^ Goffe, Mr. Burley & Capt. Stevens.

P. M.

A message from the Board by Mr. Jaffrey & Mr. Rogers to Enquire whether the Resolves of Councill for appointing the Places for holding the Courts in the Western & middle Countys were acted upon by the House.

In answer to which a message was sent to the Board by the Clerk to inform them That the votes Enquired after are not yet Acted on by the House. Adjourned.

[p. 317.] Fryday March 31, 1769.

A message was sent to the Board by the Clerk, Mr. Parker and Col^o^ Goffe to Desire the Councill to reconsider their Resolve Respecting the Places for holding the Courts in the middle County, and also to pray the Councill to Determin as soon as may be Respecting the Places for holding the Courts in the first County and let the House know their Determination. The said Resolve of Councill was carried up and the Councill Requested to hear what some Persons acquainted in those parts may offer relative to Amherst or Merrimack which may be the most convenient place for hold^g^ the Courts.

A message from the Board by Mr. Sec^y^, Mr. Pierce & Mr. Noyes to inform the House that the Councill have heard what the several persons acquainted in those parts who have been before them have offered respecting the Places of holding the Courts in the middle County and are of opinion that at Present Amherst is the most proper place, and left the Resolve in the House.

Mr. Secy, Mr. Warner and Mr. Pierce Bro't from the Board the following Resolve in Council, viz.

Province of New Hampr

In Council, 31st of March 1769.

The Council having Read and Duly considered the vote of the House of the 30th Instant concerning the Places for holding the Courts in the Easterly proposed County, are of opinion that no sufficient Reason has yet been given for Removing any of the Courts out of the Town of Portsmouth where they have been long Established, and that there is a considerable difference between choosing a proper seat for Courts of Justice in a new County, and between Disturbing and altering the well Established Order and long Established Resort of the People for Justice: That the Question is not where the seat of Justice ought to be Established in the Easterly County, it having been already long Established, but whether the Reasons given for the removal of some of the Courts from the Town of Portsmouth are sufficient, and however this Question may be Decided, the Council are of opinion that it would be a very [P. 318.] distressing measure, a very unequal Procedure to delay on that account the Relief of the remote western Inhabitants of the Province whose distant situation renders the necessity of dividing them into Countys very pressing and in order to promote this Division and as far as possible to preserve an unity of opinions or at least of Resolutions between the Council and Honorable Assembly, It is

Resolved, That Two inferior Courts of Common Pleas and two Courts of General Sessions of the Peace for the Easterly County be holden in such place as the House shall deem most convenient for the accommodation of the Remote Inhabitants of the said County, but that the rest of the Courts for the said County shall continue to be holden at Portsmouth. Read & sent down for concurrence.

T. Atkinson, jun. Secy.

P. M.

The House took under consideration the Resolve of Council bro't down in the forenoon and after debating thereon Prepared an answer thereto. Adjourned.

Saturday April 1st, 1769.

The Answer to the Councills Resolve prepared yesterday is as follows:

In the House of Representatives March 31, 1769.

The House having Read and duly considered the Resolve of the Honbl Councill of this Day relating to the Places of holding the Courts of Justice in the proposed Easterly County are very sorry to find their sentiments on that subject so different from those of the House who cannot help thinking that a little further attention will induce the Councill to judge more favorably of & come into the sentiments of the House on that matter, That as to the reason given by the Council for continuing the Superior Courts at [P. 319.] Portsmouth from the length of time since the Establishment, the House think it cannot avail if the different circumstances of the Province when that Establishment was made is compared with the present and Especially that Portsmouth was then

the only place of safety & the greatest distance of any person concerned Did not exceed fifteen or sixteen miles & those at that distance very few; that length of time is of no weight when the point under consideration, is whether the different situation of the People does not require an alteration which they have earnestly desired for near thirty years, the want of which they have so long complained of as a heavy burthen; That the Inducement to the House to concur with the Hon^ble^ Council in making this County so large was the hopes of Relief to the People in this case that they might have the administration of Justice in the Dernier Resort bro't nearer home, for it seems plain that if that cannot be agreed to the Western line of this county ought not to extend to Merrimack River, which as it does if the Inhabitants are not releived in the premises they will be in a much worse condition than if there had been no Division; That as to the Question why the matter should not be compleated as to the Counties about which we have no dispute, the house observe that the Act proposed is to pass with a suspending clause & when his Majesty had given his fiat it will be a very difficult & perhaps costly Business to obtain an alteration, which makes the House so solicitous to compleat the whole in one Act, they therefore think it inconsistent with their duty to their constituents to concur with that said Resolve as it now stands.

Read and voted to be sent up to the Hon^ble^ Council. Sent up by Messrs Toppan, Wright & Bartlett.

The Hon^ble^ Mr. Sec^y^ Mr. Livius and Mr. Rindge Bro't Down the following Resolve in Council, viz.

In Council 1^st^ April 1769.

It is Resolved that one Superior Court, one Inferior Court of Common Pleas and one Court of Gen^l^ Sessions of the Peace of the Easterly County be holden in such Place as shall be tho't most convenient for the accommodation of the Remote Inhabitants of said County, but the Rest of the Courts for the said County shall continue to be holden at Portsmouth.

Read and order'd to be sent down for concurrence.

T. Atkinson, jun. Sec^y^.

In the House of Representatives Eod^m^ Die.

The above Resolve of the Hon^ble^ Council Read and concurr'd. [p. 320.] And further Voted, That the Superior Court and Court of General Sessions of the Peace & Inferior Court of Common Pleas to be Removed out of the Town of Portsmouth be held yearly in the Town of Exeter. Sent up by Mess^rs^ Goffe, Wiggin, Downing & Thompson.

The Resolve in Councill of the 29^th^ of March Respecting the Places for holding the Courts in the Western County was taken under consideration, Read and Concurr'd.

Sent up by Mess^rs^ Willard, Baker, Bartlett & Greeley.

The Resolve in Councill of the 29^th^of March Relative to the

Places for holding the Courts in the Middle County was taken under consideration, Read and Concur'd.

Sent up by Messrs Willard, Baker, Bartlett & Greeley.

Adjourned.

Monday, April 3d 1769.

Voted That William Parker and Samuel Livermore Esqr be a Comtee to joyn with such as the Honble Councill shall appoint to prepare a Bill or Bills for Dividing the Province into Counties and to Establish the times and Places for holding the Courts, &c. agreeable to the Votes of the General Assembly. Sent up for concurrence by Docr Thompson. [Concurred, and Honble Daniel Warner and Peter Livius, added.] Adjourned.

Tuesday, April 4th 1769.

[p. 321.] Mr. Secy Bro't down the petition of Samuel Hall, praying for an allowance for Damages Done his Land, fences &c. By the Execution of Ruth Blay — which Petition being consider'd

Voted That it be Dismiss'd.

The Secy also inform'd the Speaker that the vote of the House of Saturday last for holding Courts at Exeter &c. was concurr'd by the Councill.

P. M.

The House took under consideration the allowances to be made to the Councill and Assembly and Pass'd the following vote, viz.

Voted, That each member of his Majesty's Councill be allowd and paid six shillings and Eight pence per Day for every Day of their attendance in General Assembly from the seventeenth Day of May 1768, untill the Dissolution of the Present General Assembly, and also two pence half penny per mile for Travelling to and from the Place of the sitting of the General Assembly every time the General Assembly is adjourned or Prorogued from Saturday till Monday or for any longer time During the said term, to be paid by the Treasurer upon a Certificate from the Secretary.

Also that each member of the House of Representatives be allow'd and paid the sum of six shillings pr Day for every Day of their attendance in General Assembly from the said sixteenth Day of May 1768 untill the Dissolution of the present General Assembly, also two pence half penny pr mile for travelling to and from the place of the sitting of the General Assembly every time the General Assembly has been or shall be adjourn'd or Prorogued [p. 322.] from Saturday till Monday or for a longer time ; Except such as live more than twenty miles Distant from the Place where

the General Assembly sitts, who are not to be allowed Travil unless when the General Assembly has been or shall be adjourned, or Prorogued for a longer time than from Saturday till Monday, but when the General Assembly shall be adjourned or Prorogued from Saturday till Monday, instead of Travil to be allowed one days pay, and that the said members be paid by the Treasurer upon a certificate from the Clerk of the House of Representatives. Also that the Clerk of the House of Representatives be allow'd the sum of six shillings per Day for each Day of his attendance in General Assembly in that capacity Exclusive of his wages as a member of the House of Representatives to be paid him by the Treasurer upon a Certificate from the Clerk of the House of Representatives all the allowances here made to be paid out of money that is or shall be in the Treasury.

Sent up by Maj^{r} Wright & Capt. Chamberlain.

Mr. Sec^{y} and Mr. Rogers bro't from the Board y^{e} vote of the House of this day with the following vote of Councill thereon, viz.

In Councill, eodem die, Read and concurred with this amendment, That each member of the Council receive Eight Shillings per Diem Enstead of six Shillings and Eight pence. (*a*)

T. Atkinson, jun. Sec^{y}.

(*a*) Votes, bills, acc^{ts}, &c. passed by the House and concurred by the Council from March 15th to April 4th, 1769.

Petition of Samuel Gerrish for an action of Review against John Parker of Litchfield, in an action of ejectment, &c. granted.

An Act for the freeholders of Hampstead to collect an assessment — passed.

Petition of John Walter Cook and others, bakers, praying relief from the hardships of the law relating to bread,— Act passed.

Petition of Judith Winn for a re-hearing of a case in Court against Joseph Kelley — granted.

Act to enable Samuel Pierce and Anna Mitchell to sell part of the real estate of Robert Mitchell, dec'd.

Mr. Sec^{y} came into the House and inform'd the Speaker and the House That his Exc^{y} had tho't proper to adjourn the Gen^{l} Ass^{m} of this Province to Monday the 17th Inst. at ten o'clock in the forenoon.

Att^{t} M. Weare, Cl^{r}.

[P. 323.] Monday, Ap^{r} 17th, 1769.

[Adjourned till]

Tuesday, Apr^{l} 18th 1769, P. M.

The House taking under consideration the vote of the Council concerning the vote of the House of the 4th Instant for allowance to the Council and Assembly with this amendment, That each member of the Councill Receive Eight shillings pr diem instead of six shillings & Eight pence.

It was put to vote whether the amendment proposed by the Councill should be concurr'd. It passed in the Negative.

[P. 324.] Wednesday, Apr 19, 1769, P. M.

The Dep^{y} Sec^{y} bro't down the Acc^{t} of Isaac Rindge Esq^{r} for the expenses of Running the Northeasterly Boundary line of this Province, with the following Message from his Exc^{y}, viz.

Mr. Speaker and Gentlemen of the Assembly —

The Province of the Massachusetts Bay having lately agitated a claim to a very considerable tract of land within and upon the No. East line of this Province which claim includes among others, part of the Town of Rochester, their Pretentions appearing to rest solely upon the supposed uncertainty of the Province Divisional line, It was therefore Expedient and I Directed the Surveyor General of Lands for this Province to Perambulate and Renew the line heretofore authoritatively surveyed admeasured and marked by Walter Bryant Esq. and for further certainty and more Incontestable Evidence to have with him the said Walter Bryant Esq. as an assistant to this purpose under oath. Also to extend by Actual admeasurement and plainly to mark the Remaining part of the said line as Described Directed and ordered by the confirmed Judgment of the Commissioners for settling the lines of this Province, and as is now Expressed in his Majesty's Commission for the Govern^{mt} of this Province. One hundred miles in this service has been faithfully and skillfully Performed and will undoubtedly tend to the immediate termination of all claims — at least it must remove all foundation or even Plausible [P. 325.] Pretext for any. I have Directed the Acco^{t} of Expense hereby incurred eminently for the great benefit of the Province to be laid before the General Assembly and Recommend that Provision be made for its Reimbursement.

J'WENTWORTH.

Council Chamber
Portsm^{o} 19th Apr^{l} 1769.

☞ The following Letter from Gov. FRANCIS BARNARD of Massachusetts throws light on the question of the boundary line, in controversy at this time.—ED.

Letter from Gov. Barnard.

[Copied from "Province Boundaries, 1677–1767" in Sec^{ys} office.

Boston, Septem^{r} 10th 1767.

Sir —

I communicated your Letter of Aug^{t} 26th to the Council, as I advised you in my last I should do; and the same was referred to a Committee upon whose Report the Council advised me to return your Excellency the following Answer.

Your Excellency mentions "you have examined the Plan annexed to the Royal Instruction to Governor Belcher Recorded & upon file in your Secretary's office, also interrogated Mr. Bryant who surveyed & marked this line, and that from these and many other irrefragable evidences you are convinced that the Lands you refer to are clearly within the bounds of the Province of New Hampshire; in which you are confirmed by the plainest expression of

your Commission." As I am desirous of an amicable adjustment of the Line and to prevent all occasions of contention between the borderers, I am to request that you would be pleased to furnish me with a copy of the Plan and Instruction aforesaid, Mr. Bryant's declaration and the other Evidences your Excellency refers to, together with such part of your Commission as relates to this matter, and I will lay them before the Assembly who may thereby be enabled to judge of the facts which have induced your Excellency to adopt the sentiments you profess: and you shall be furnished with copies of any papers in the affair you shall want from hence; extracts of which, containing the substance of said Papers are below communicated to your Excellency. In this way we shall both of us be possessed of the facts; by a consideration of which this matter (as you observe) may perhaps be adjusted. In the mean time I would acquaint you that the General Assembly here being informed that Mr. Bryant had made a mistake in running the line between the two Provinces, taking his departure from the head of the northeast branch of Newichwannock or Salmon falls river, instead of the main River; they divers times appointed Committees to be joined by a Committee on the part of New Hampshire, and desired me to write to the late Governor Wentworth that such Committee might be appointed in order to the just settlement of the Line. I wrote to him several times accordingly, but no such Committee was appointed till the last year; when Col° John Wentworth with Walter Bryant Esq. the surveyor who run the line (1) were appointed by him. This Committee with ours proceeded last November and viewed the main river & the northeast branch aforesaid. I will now mention to you the substance of the several Reports of our Committees and of the evidence that has been taken on our part relative to said River and Branch.

January 1764. Benjamin Lincoln, Samuel Livermore and Joseph Frye, Esqs. having in October 1763 viewed said River and branch report: "That from the view we had on the spot the quantity of water flowing from said River contains two parts in three more than what run from said branch." "We beg leave further to offer it as our opinion, that the place from whence the surveyor took his departure as the head of Newichwannock or Salmon Falls river, when this line was run in the year 1741 is not, and we think cannot be understood to be, the place intended by the order of his late Majesty in Council for settling that Line."

1766 December. Jonathan Bagley Esq^r from another Committee reports, That he with ten others, of which number were Col° John Wentworth and Walter Bryant Esq. the Surveyor (the Committee appointed by Gov^r Wentworth) proceeded in November 1766 to the forementioned River and branch and after viewing both of them several times, "the whole party were called together (Sunday Nov^r 23^d) to judge how large a hole would vent the water that run in that Branch; and after measuring the wedth & depth, the party judged the whole water that then run in said Branch would run through a hole as big as a Barrell," then they took their departure for the main river or main Branch again in order to view that: which accordingly they did the next day, and "it appeared that it was more than three times as large as the northeast Branch that Mr. Bryant run in 1741, and yielded more than three times as much water."

1767 January-7. James Warren jun^r, Gilbert Warren and James Hasty declare, "That in the month of Novemb^r last (1766) they were employ'd by Jonathan Bagley Esq^r and others a Committee appointed by the General Court of Massachusetts Bay, and John Wentworth & Walter Bryant Esq^rs a Committee appointed by Governor Wentworth, Governor of the Province of New Hampshire in order to view Salmon falls river & the Branches thereof. In pursuance of which the deponents went with said Committees up said Salmon fall River until they came to the place where the northeasterly branch or Brook united with the main river and they viewed the same" &c. and after several views of both, the result is, that "it appeared to them that the main River is about three times as large and yielded about three

(1) See Walter Bryant's report 1741, pp. 349-351 of Volume VI.—Ed.

times the quantity of water that the northeasterly branch did." The said Gilbert Warren and James Hasty add, "That they are well acquainted with the Southwesterly branch of Salmon falls river which runs into the main River about three miles and an half above the place where the northeasterly branch unites with the said main River, and are of opinion that the said Southwesterly branch is near or quite as large and issues near or quite as much water as the northeasterly Branch."

1767 June 22d. Walter Bryant Esqr the Surveyor who run the line in 1741 among other questions was asked the following, viz. "Are you fully satisfied that the westward branch [by which 'tis supposed the main River was intended] is much bigger than the Eastward Branch which you went up?" His answer is, "I am fully persuaded that the westwd Branch is much the biggest for several miles up said branch from where they come together."

This is the substance of the Reports and evidence on our part relative to Newichwannock or Salmon falls River, and the northeast branch of it: which has influenced me & the Assembly to apprehend Mr. Bryant made a mistake in running the line in 1741; and I have here communicated it to you that you might consider it in connection with the Evidence already before you; and that from a view of the whole you might be able to form a judgment whether a mistake has been made or not, and in order that I may form a judgment myself from a view of the whole Evidence & circumstances relative to this matter, I request the favor you would send me a Copy of the Plan, Instruction and other Papers & Evidence mentioned above: the charge of which I shall order to be paid.

I am, with great truth & regard
Sir, your most obedient and most
humble servant

FRA: BARNARD.

His Excellency
Govr Wentworth.

Additional Instruction.

[Copied from "Province Boundaries, 1677-1767" in Secys office.]

BY THE LORDS JUSTICES.

Additional Instruction to Jonathan Belcher Esq. Captain General in Chief in and over his Majesties Province of the Massasetts Bay in New England in America, or to the Commander in chief of his Majesties said Province for the time being. Given at Whitehall the fifth Day of August 1740, In the Fourteenth year of his Majestys Reign.

JO. CART:
HARWICKE, C.
WILMINGTON, P.
HENRY, C. P. S.
GRAFTON,
MONTAGUE.

[L. S.]

Whereas Disputes and Controversies have for many years subsisted between his Majesty's loving subjects of the Province of Massachusetts Bay and New Hampshire in New England, In Regard to the Boundaries between the said Provinces; and whereas his Majesty was pleased by his order in Council dated 22d January 1735, to direct that commissioners should be appointed to marke out the Dividing line between the said Provinces, & also by his Order in Council of the 1st February 1736 to direct that a Commission should be prepared . . . (1) under the Great Seal which said Commission was accordingly issued, for authorizing such Commissioners to meet within a limited time to mark out the Dividing line between the said "Provinces with liberty to either party who should think themselves aggrieved by the Determination of the said Commissioners to appeal therefrom to his Majesty in Council" — Which said Commissioners did make their Reports in the following words: —

(1) Here a few words in the copy are mutilated. — ED.

"In pursuance of his Majesties aforesaid Commission the Court took under consideration the Evidences, Pleas & Allegations offered & made by each party referring to the Controversy depending between them, and upon mature Advisement on the whole, a Doubt arose in point of Law, and the Court thereupon came to the following Resolution, viz."

"That if the Charter of King William and Queen Mary, dated October the 7, in the third year of their Reign, grants to the Province of the Massachusetts Bay all the Lands which were granted by the Charter of King Charles the first, dated March the 4th in the fourth year of his Reign, to the late Colony of the Massachusetts Bay, lying to the Northward of Merrimack River, then the Court adjudge & Determine, that a line shall run parallel with the said River at the distance of three English Miles North from the Mouth of the said River, Beginning at the southerly side of the Black Rocks so called at low water mark, and from thence to run to the crotch or parting of the said River where the Rivers of Pemigewasset & Winnepiseokee meet, and from thence due North three English miles, and from thence due West towards the South Sea until it meets with his Majesties other Governments; which shall be the Boundary or Dividing line between the said Provinces of the Massachusetts Bay & New Hampshire on that side; but if otherwise, then the Court adjudge and determine That a Line on the Southerly side of New Hampshire beginning at the Distance of three English miles North, from the Southerly side of the Black Rocks aforesaid at low water mark, & from thence running due West up into the main Land towards the South Sea, until it meets with his Majesties other governments, shall be the Boundary line between the said Provinces on the side aforesaid,— Which point in doubt with the Court as aforesaid, They humbly submit to the wise consideration of his most Sacred Majesty in his Privy Council, to be determined according to his Royal Will and Pleasure therein, and as to the Northern Boundary between the said Provinces, the Court Resolve and determine that the Dividing line shall pass up thro' the mouth of Piscataqua Harbour and thro' the middle of the River into the River of Newichewannock (part of which is now called Salmon Falls) and thro' the middle of the same to the furthest Head thereof & from thence North two degrees Westerly until one hundred and twenty miles be finished from the mouth of Piscataqua Harbour aforesaid, or until it meets with his Majesties other Governments; and that the Dividing Line shall part the Isles of Shoals & run thro' the middle of the Harbour between the Islands to the Sea on the Southerly side: and that the south westerly part of the said Islands shall lye in and be accounted part of the Province of New Hampshire, and that the North Easterly part thereof shall lye in and be accounted part of the Province of the Massachusetts Bay, & be held and enjoyed by the said Provinces respectively in the same manner as they now do, & have heretofore held and enjoyed the same — And the Court do further adjudge that the cost and charge arising by taking out the Commission as also of the Commissioners & their officers, viz. The two Clerks, Surveyor and Waiter for their travelling Expenses and attendance in the Execution of the same, be equally born by the said Provinces."

"And Whereas appeals from the Determination of the said Commissrs have been laid before his Majesty by the Agents of the respective Provinces of the Massachusetts Bay and New Hampshire, which said Appeals have been heard before the Committee of Council for hearing Appeals from the Plantations, who, after having considered the whole matter and heard all parties concerned therein, did Report unto his Majesty as their opinion, "That the Northern Boundaries of the said Province of the Massachusetts Bay are, and be, a similar Curve Line pursuing the course of Merrimack River at three miles Distance on the North side thereof, beginning at the Atlantic Ocean & ending at a Point due North of a place in the plan returned by the said Commissioners called Pawtucket Falls & a strait line drawn from thence due West cross the said River, till it meets with his Majesty's other Governments; and that the Rest of the Commissioners said Report or Determination be affirmed by his Majesty." Which said Report of the said Committee of Council, his Majesty hath been pleased, with the advice of his Privy

Council to approve and to declare adjudge and order, "That the Northern Boundaries of the said Province of the Massachusetts Bay are, & be, a similar Curve Line Pursuing the course of the Merrimack River at three Miles Distance on the North side thereof, beginning at the Atlantic Ocean & Ending at a Point due north of a place in the plan returned by the said Commissioners called Pawtucket Falls & a strait line drawn from thence due West cross the said River, till it meet with his Majesties other Governments, and to affirm the rest of the Commiss^rs said Report or Determination" —Whereof the Governor or Commander in Chief of his Majesties said Provinces for the time being, as also his Majesties . . . Assemblies thereof & all whom it may concern are to take Notice.

It is therefore his Majesties Will & Pleasure, and you are hereby required and enjoyned under pain of his Majesties highest Displeasure & of being removed from your Government, to take especial care that his Majesty's Commands in this Behalf be executed in the most effectual & expeditious manner, to the End that his Majesties good Intentions for promoting the peace & Quiet of the said Provinces may not be frustrated or delayed. You are likewise hereby directed to communicate this Instruction to the Councils and Assemblies of his Majesties said Provinces, & to cause the same to be entred in the Council Books of the said Provinces respectfully.

And for your further Information herein an authenticated coppy of the Plan returned by the said Commissioners is hereunto annexed (1),

J. C. H. C. W. P. H. C. P. S.

MONTAGUE.

A true copy from the Books of his Grace the Duke of New Castle's office, Ex^d by me, Dan^l Preverau.

Thursday, Apr. 20^th^, 1769.

Sundry Petitions from the Inhabitants of Londonderry, Chester and Sundry other Towns Praying to be annexed to the Middle County were bro't into the House and Read.

Also sundry petitions against the same.

P. M.

The vote of the Councill on the vote of the House for allowance to the councill and assembly concur'd with an amendment. Read and non concurr'd, and

Voted to adhere to the vote of the House. Sent up by Capt. Giddinge. [non-concurred by Council.]

Upon the Petitions from Londonderry, Chester &c. bro't into the House in the forenoon, the following vote Passed, viz.

Whereas a great number of Persons Dwelling in several Towns near Merrimack River have this Day presented a Petition to the Governor Councill and Assembly Praying that the Towns of Chester, Londonderry, Pelham, Salem &c. might be annexed to and made part of the Middle County as being much more convenient for them and that the said Inhabitants would be greatly

(1) NOTE. This paper was used by the State's Commissioners for ascertaining the line between New Hampshire & Massachusetts in 1825. Returned June 1826. — *Farmer*.

Eased by such an alteration in the Proposed Plan of Division already Voted; — On consideration of which the House are willing to serve the Petitioners so far as may be done without incurring a General Inconvenience; and as the Division of the Province into Counties had before the Presenting such Petitions been so far carried into Execution as to bring in a Bill for that purpose Different from what the Petitioners ask, The House have no Design to Interrupt the Progress of a Measure long desired to be Effected, yet as a very little addition might answer some part of the said Petition if his Majesty's Council Judge proper to joyn herein, the House are willing that the said Towns of Chester, Londonderry, Pelham and Salem be added to said Middle County.

Sent up by Mr. Hobart. (*a*)

(*a*) Jour. C. & Assm. Apr. 20, 1769. Mr. Hobart bro't up from the House a written Mess[a] relative to a Petition of sundry Inhabitants of the proposed Middle County, Praying that the lines of the said County may be established according to the plan already proposed by the Resolves of the House & Council, without addition or diminution and also the Petition of the Townships of Bow, Chester, Londonderry, Pelham, Plaistow, Salem, Hampstead & Sandown requesting to be annexed to the abovesaid Middle County — they belonging to the first or Easterly County, &c. The House setting forth their willingness to grant the Petition of said Towns if it might be done without a general Inconvenience &c. Read & a Mess[a] sent to y[e] House by the honorable Peter Livius and Daniel Rogers Esq[s] to acquaint them that this board could by no means think of any material alteration in the plan of Division, lest the result might be the setting aside the whole proceedings hitherto.

[P. 328.] Saturday Apr[l] 22[d], 1769.

Voted, That there be paid unto his Excellency John Wentworth, Esq., our Governor out of money that is or shall be in the Treasury, the sum of Seven Hundred Pounds Lawfull Money for one year's Salary commencing the thirteenth Day of June next to be paid half yearly. And also the sum of sixty-seven Pounds Lawful money for House Rent for the same time, and that his Excellency be Desired to Draw the same out of the Treasury with advice of Council. [Concurred by Council.]

[P. 329.] Wednesday Apr[l] 26, 1769.

The House took under consideration the allowances to be made to the Councill and Assembly, and Voted to allow to each member of the Council Seven shillings pr Day. A vote was accordingly Prepar'd in all other Respects the same as the vote of the House of the 4[th] Inst. which vote was sent to the Board by the Clerk. [Concurred.]

[P. 330.] Thursday April 27th, 1769.

An Act for Dividing this Province into Counties and for the more Easy Administration of Justice having been three times Read,

Voted That it pass to be Enacted. Sent up by Messrs Sheafe, Giddinge, Baker & Chamberlain. [Concurred and passed by the Council.]

P. M.

Mr. Jaffrey Bro't Down the vote Enquired after from the Board, [withdrawing vote of allowance for officers & soldiers at the Fort.] Also the following message from his Excellency, viz.

Mr. Speaker & Gentlemen of the Assembly —

As the Division of the Province into Counties must necessarily Increase the Duties of the Justices of the Superior Court who have hitherto serv'd the Province in that important trust, without any salary, I may not omit Recommending that a competent Establishment be Provided for this Purpose, [P. 331.] which I think cannot be in a more proper time or Place than in those which oblige them to perform greater Duty and incur accumulated Expence for the more easy administration of Justice to the Inhabitants of the Province.

J'Wentworth.

Council Chamber
Portsmo, New Hampr
27th Apl 1769.

Voted that his Excellency the Capt Genl be desired to give orders for Inlisting seven men including those already posted at his Majesty's Fort William & Mary under such officers as he shall please to appoint for one year commencing the first Day of March last, that the pay of the officer shall be thirty six shillings pr month Lawful money, & one of the Privates who may do the Duty of a Sergeant shall have twenty one shillings pr month & the other Privates shall have each Eighteen shillings pr month & five shillings pr week for billeting each man to be paid when the Muster Roll shall be allowed by the General Assembly.

And be it further Voted, That his Excellency cause to be laid out a sum not exceeding sixty Pounds in such repairs on said Fort as he shall think proper & direct the account thereof to be laid before the General Assembly that the same may be paid out of the money in the treasury by the next supply bill. Sent up by Mr. Wiggin. (*a*) [Concurred.]

(*a*) Votes, Petitions Accts, bills, &c. passed by the House and concurred by the Council, from April 17th to April 29th, 1769.

Jour. C. & Assem. Petition of Moses Cotton and Gideon Bartlett of Newtown, relative to irregularities in a town meeting, & praying a new meeting may be appointed. Granted & Meshech Weare appointed to call and moderate said meeting.

Petition of John Scribner, Joshua Bean & Wm. Bean, Quakers, to be exempted from certain taxes — granted.

Noah Parker allowed for cleaning guns &c, £16: 19, lawful money.

Rich[d] Jenness, allowed £7. for wood, lawful money
Acc[t] of Committee for selling the Excise, allowed £8: 13: 2 1-2. Do.
Acc[t] of Daniel & Robert Fowle for printing, allowed £ 27: 8. Do.
Acc[t] of George Gaines for joiners work, allowed £1: 15. Do.
Acc[t] of Joseph Syms, allowed £1: 10. Do.
Acc[t] of George King, allowed £1: 6: 6. Do.
Daniel Pierce, recorder, allowed £3: 14. in full of his acc[t]. Do.

His Excellency gave his consent to the sundry Votes of allowance bro't up yesterday. Also to the vote of allowance for his own salary and house rent.

Also to the vote for the Secretary's allowance.

Also to the three following Bills, viz.

An act for dividing this Province into Counties & for the more easy administration of justice.

An act for granting unto his most excellent Majesty the sum of £3000 lawful money for the uses and purposes therein mentioned.

An act for continuing the Excise Act,

Also to the vote for enlisting soldiers for the Fort.

[P. 332.] Friday April 28[th] 1769.

The Acc[t] of Isaac Rindge, Esq[r] for Expences of Running the Northeasterly boundary line of the Province, being considered, It was put to vote whether the same shall be allow'd. It pass'd in the Negative.

P. M.

Mr. Secretary Bro't down the following written Message from his Excellency, viz.

[P. 333.] *Mr. Speaker and Gentlemen of the Assembly —*

His Majesty ever most graciously attentive to the welfare of his subjects, considering that great advantage might Result to this Province from the services of an Agent to them at the Court of Great Britain, has therefore been pleased to signify his Royal permission for me to assent to an act for appointing & impowering an Agent, as hath been the constant practice of this Province, & also for raising a proper Fund for this service.

I have therefore to recommend that the General Assembly take the necessary measures to avail the Province of this Fresh Instance of his Majesty's Royal care & consideration towards them.

J'WENTWORTH.

Council Chamber 28[th] April 1769.

[P. 334.] Saturday Apr[l] 20[th] 1769.

The following Answer to his Exc[ys] Message of the 27[th] Inst. was laid before the House, viz.

May it please your Excellency —

The House have consider'd your Ex[ys] Message of the 27[th] Inst, Relating to an Establishment for the Judges of the Superior Court. The House concurr in sentiments with your Exc[y], That as the service of that Court when

the proposed Division takes effect will be more beneficial to the Province as well as more burdensome to them it will be very just & reasonable they should receive an adequate Reward, which from the Novelty of the case the inexperience of the trouble & Expence of the Intended Circuit & other incidents the house are not able at present to fix upon a sum that may be esteemed a just Remuneration to that Court which they are very willing to grant. But as the Act for Dividing the Province into Counties is yet in suspense & may be Disallow'd (which it is earnestly desired may not be the case) the House humbly conceive the consideration of this matter will be more reasonable after his Majesty's Royal approbation of the Act is signified, when the Assembly will not fail of doing Justice in this Regard.

The House humbly hope his Majesty of his just Grace & favour may be pleased to grant that the Judges Comissions in this his dutiful Province may hereafter be allow'd to Issue in the same form, as to their continuance as the Comissions of the Judges in Westminster Hall, which will doubtless Ingage this and all succeeding Assemblys to make an Establishment conformable to such an Institution.

The House beg leave also to suggest that their being many New Settlements now on foot in the Province a little further time is Necessary to obtain a more Particular knowledge of their circumstances in order to adjust the proportion of such an additional Tax. And therefore upon the whole they Judge the Provision recommended cannot be now made so well as it may hereafter.

The House on this occasion would Return their hearty thanks to y^{t} Exc^{y} for the part you have acted in adjusting & Passing the aforesaid Act & embrace the Present opportunity to pray you would use your Interest not only to obtain his Majesty's Royal approbation, that so much time & pains may not be lost to this Province, But also the Institution above hinted may take place.

Voted That the foregoing Answer be sent to his Excellency. Sent up by Mess^{rs} Goff, Bell & Worthen.

[P. 335.] The following Answer to his Excellency's Message of y^{e} 28th Inst. was laid before the House, viz.

May it please your Excellency —

Your Excellency's Message of the 28th Instant concerning the appointing an Agent for the Province at the Court of Great Britain, and his Majesty's Royal Permission to your Excellency to assent to an Act for that purpose, being duly consider'd, The House beg leave to observe in answer thereto the Perfect Satisfaction they enjoy as well as the highest sense of gratitude in the esteem they have of his Majesty's Royal Goodness express'd in every Instance of his care of and attention to the wellfare of his subjects in this Province: But as our Present Agent, Mr. Trecothick has given intire Satisfaction in that important trust and hath not signified to us any Resignation thereof, We think it unnecessary to proceed to the appointment of another at Present as we already Enjoy the benefit Recommended by your Excellency.

Voted That the foregoing be presented to his Excellency. Sent up by Mes^{rs} Baker, Bartlett & Thompson.

The Dep^{y} Sec^{y} came from the Board and Inform'd the Speaker and the House, That it his Excellency's Pleasure to Prorogue the General Assembly of this Province to Tuesday the fourth Day of July next at ten o'clock in the forenoon, and Declar'd the same to be Prorogued accordingly.

Att^{t} M. Weare, Cl^{r}.

[P. 336.] June 10th 1769. His Excy the Govr by Proclamation further Prorogued the Genl Assm to July 25th 1769.

And by another Proclamation Dated July 18th 1769, further Prorogued the Genl Assm to 21st of Sept.

And by another Procn Dated Sept. 9th 1769 further Prorogued the Genl Assm to Novr 1st 1769.

And by another Procn Dated Oct. 24th 1769 further Prorogued the Genl Assm to Tuesday the 9th Day of Jany, 1770.

Additional Instruction.

[Copied from "Addresses to the King" in Secys office, p. 180.]

To our truly and well beloved JOHN WENTWORTH Esquire, our Governor and Commander in chief in and over our Province of New Hampshire [L.S.] in New England in America, Given at our Court at St. James's the thirtieth day of June 1769, in the ninth year of our Reign.

WHEREAS a practice hath of late years prevailed in several of our Colonies and Plantations in America of passing Laws for raising money by instituting public Lotteries; and Whereas it hath been represented to us, that such practice doth tend to disengage those who become adventurers therein from that spirit of Industry and attention to their proper callings and occupations, on which the publick welfare so greatly depends: And whereas it further appears that this practice of authorizing Lotteries by Acts of Legislature hath been also extended to the enabling private persons to set up such Lotteries, by means whereof great frauds and abuses have been committed: It is therefore Our Will and Pleasure that you do not give your Assent to any Act or Acts for raising money by the Institution of any publick or private Lotteries whatsoever, until you shall have first transmitted unto us by one of our principal Secretaries of State a Draught or Draughts of such Act or Acts, and shall have received our Directions thereupon.

G. R.

[P. 337.] Tuesday, Jany 9th 1770.

The House met according to the last Prorogation.

The Depy Secy adjourned the Genl Assm till to-morrow twelve o'clock.

Wednesday Jany 10th 1770.

A message was sent by Colo Goffe and Thos Bell Esqr to Inform his Excy ye Govr That there was a quorum of the Members met. Adjourned.

Thursday, Jany 11th 1770.

The Honble Messrs. Livius, Warner & Jaffrey bro't from the Board the following written Message from his Excellency, viz.

Gentlemen of the Genl. Assm—

It gives me very great Pleasure that the Prosperous State of the Province hath put it in my power to defer meeting the Gen[l] Ass[bly] until the usual time of considering the ordinary Public business of the year; which as it is also much more convenient to your private concerns in the same Proportion enhances my satisfaction.

In your Deliberations upon Measures for the advancement of the Province I think it my duty to Recommend to your consideration the important Necessity of making Roads through the Province whereby the Labour of the Increasing Country may be advantageous here instead of unnaturally Lucrating to the Neighboring Colonies: by this means we may Reasonably hope to acquire a full circulation of money which is now Reduced merely by Exporting to pay for Provisions mostly raised in the Province and carried to other Markets where the goods are all bought for the use of the Country to the evident Ruin of your Commerce,—Solely for want of roads and much better to your own Markets than to any other.

The utility of an effectuall immediate attention to this recommendation is now more essential, that thus the greatest Benefits may Result from Dartmouth College being happily established in the Province, whence many hundred respectable Familys from other Colonies are induced to settle in and cultivate the remotest District of this government, and above all others that the great blessing of Literature may thereby be Disseminated among the People now destitute thereof to a Degree too well known to leave me any use in further Elucidations upon the subject.

The State of the Treasury Acc[ts] I have directed to be laid before the Honorable House by which it will appear what measures are requisite to complete the Deficiencys of the last year, also what may be adequate to grant for the support of government in the next. With these accounts I have Directed to be laid before the Hon[ble] House an account of Expenses incurr'd by the Commission[rs] (named in many long known Acts of Parliament) on a Journey to Boston to a Court of Trial of Piracy &c. upon the High Seas. This being solely a Public Duty and actually discharged, I hope the Hon[ble] House will consider it as Provincial and take measures that the expense thereof may not rest upon my Salary, that hath not any one year come near to my support, which I Presume was the Intention of the Hon[ble] House in their grant.

Whatever other matters may occur shall be communicated During the Session which I doubt not from former experience will be conducted with Diligence, moderation and Wisdom, whereby Legislative unanimity and Harmony are preserved, which is the Corner Stone and sure foundation of Increasing Prosperity and honour to the Province.

My Cheerfull aid and concurrence shall be Ready to compleat every such measure; as I also consider my attention to their true Interest to be the most approved evidence of my zeal in the service of our most gracious Sovereign.

J[r] WENTWORTH.

Councill Chamber
10 Jan[y] 1770.

Mr. Speaker laid before the House a Letter he Received from the Speaker of the House of Burgesses in Virginia with a Number of Resolves Pass'd by s[d] House. (1) Adjourned.

(1) It does not appear that any action was taken on this letter and resolves. They are not found on record or on file.—ED.

Fryday, Jan^{y} 12th 1770.

[p. 339.] Voted That Wm. Parker and Sam^{l} Livermore, Esq^{s} be a Committee to wait on the Hon^{ble} Theod^{r} Atkinson Esq. Chairman of the Com^{tee} for drawing Bills & Corresponding with the Agent for the Province, and to Desire that the said Com^{tee} acc^{ts} and the agents acc^{ts} as far as they are Informed of them may be laid before the House as soon as may be.

[p. 340.] Saturday, Jan^{y} 13th 1770.

The Dep^{y} Sec^{y} Bro't from the Board the Petition of William Rowell and Aaron Currier Representing the Difficulties in the Town of Newton, with Regard to the Baptists &c. which being considered,

Voted, That the Petitioners be heard thereon on Thursday the twenty-fifth Day of Jan^{y} Instant, if the Gen^{l} Ass^{m} be then sitting, and if not then on the second Day of their sitting next after and that the Petitioners at their own cost serve Francis Chase and Robert Steward two of the People called Baptists with a copy of this Petition and order, That they may show cause why the Prayer thereof should not be granted.(*a*) Sent up by the clerk.

(*a*) Jour. C. & Assm. Jan^{y} 12th 1770. The petition of Wm. Rowell & Aaron Currier agents for & in behalf of the Town of Newtown, shews, That a number of the Inhab^{ts} of said Town, who call themselves Baptists, have refused to pay their Proportion of Taxes for the support of the Congregational minister settled there, (1) pleading their exemption by the Province Law &c. Wherefore they Pray that the said Baptists may be entirely set off from said Town or that they might be otherwise redress'd as might seem expedient. Read at the Board & order'd to be sent down to the Honorable Assembly.

The acc^{ts} of his Exc^{y} the Gov^{r} the Hon. George Jaffrey and Dan^{l} Rindge Esq^{r}, for expences for their journey to Boston for the tryal for Piracy &c. were Presented to the House.

[p. 341.] The Committee for preparing an Answer to his Exc$^{y's}$ message at the opening the Sessions Laid the following Draft before the House, viz.

May it Please Your Excellency —

The House have consider'd your Message to them at the opening the present Sessions of the Assembly, and congratulate your Excellency on the concurrence of so many favourable Incidents, that you can meet the Assembly with satisfaction. The House take notice with the Highest gratitude of the Generous care your Excellency expresses for the Prosperity of the Province in proposing a Method to Prevent the benefit of the Labour of the People and the fruits of increasing Agriculture accruing to others Rather

(1) The Congregational minister in Newton, in 1770, was the Rev. Jonathan Eames. The Baptist Church in Newton is the oldest of that denomination in New Hampshire. It was organized in 1755, and Rev. Walter Powers was settled as their pastor.—Ed.

than themselves: And are intirely in your Excellency's sentiments relative to the importation of Provisions and the advantageous consequences of an internal supply and convenient ways for transportation to all places of Demand for it within the Province. For this purpose several Acts have been pass'd, viz. One for making a Road from Durham to Cohass, and one afterwards in addition to that: One for making a Road from Charlestown to the Town of Boscawen: Another for making a highway from Stonington through the Township of Lancaster, Dartmouth, Burton, Tamworth, Sandage, Moultonborough, Tuftonborough and Wolfborough. The House cannot well determine what further steps to take till the several Committees to whom the care of carrying the Directions of the Respective Acts into Execution was intrusted have made Return of the Proceedings, which is not yet or at best have not been laid before the House. Whatever shall be found necessary for the House yet to transact touching this matter will be chearfully comply'd with by them. The House consider the Settlement of Dartmouth College as an Event which in time will be a great advantage to the Province and that it is owing to your Excellency's conduct and Encouragement it has been effected; and it gives them a singular Pleasure to hear your Excellencys strong and lively sentiments of the Blessing of good Literature which would Doubtless have been much advanced here beyond its present state had such Regard been heretofore paid to it.

It will be very agreeable to the House to know the State of the Treasury, the Public Revenue & Accounts of the Province into which they will make an Examination as soon as the Necessary means are in their Power.

[P. 342.] As to the Expence of the Journey to Boston on the tryal of Piracy the House can only say at Present they shall be Ready to do their Duty in that regard, but as the subject is new they judge it to be the first step of Duty to Enquire what is further incumbent on them. The House would return your Excy their unfeigned thanks for the Expression of Regard to the Publick welfare you have been pleased to give them, and shall endeavor to maintain that harmony you Recommend as absolutely necessary to the well-being and prosperous state of the Government.

Which Answer being considere'd,

Voted, That it be presented to his Excellency. It was accordingly signed by the Speaker, and Colo Goffe, Majr Wright and Capt. Greeley were appointed to wait on his Excy with the same.

Adjourned.

Tuesday Jany 16th 1770.

[P. 343.] The House took under consideration that part of his Excellency's Message Relative to opening Roads through the Province and the matter being consider'd, The Question was put, Whether the Province should be at any Expence for opening and clearing said Roads, and it pass'd in the Negative.

Wednesday Jany 17th, 1770.

Voted That William Parker, Saml Livermore, Christopher Toppan Esqrs, and Capt John Giddinge be a Comtee to consider what Acts are necessary now to be past, and to prepare Drafts of such Acts and lay them before the House as soon as may be.

P. M.

The Com^tee appointed to tell over the money in the Treasury to be Burnt made the following Report viz.

Province of New Hamp^r } Jan^y 17^th 1770.

The Com^tee appointed by vote of the Gen^l Ass^m to tell over and Receive from the Treasurer such sums as might be in the Treasury to be burnt agreeable to the several Acts for emitting the same have Accordingly Accounted and Received from Mr. Treasurer Jaffrey six hundred Ninety four Pounds two shillings & two Pence Lawfull money in Canada, Crown Point & Sterling Bills, which sum we have locked up in the Province Strong Box and now waits the Order of the Gen^l. Ass^m.

£694. 2. 2.

John Sherburne, S. Livermore, Jacob Sheafe, Theo' Atkinson, Jon^a Warner, Dan^l Rindge } Com^tee

[P. 344.] Agreeable to the Report of s^d Com^tee and order of the Gen^l Ass^m. The said strong Box was Bro't into the House and the Bills burnt to ashes in the face of the Gen^l Ass^m.

Thursday Jan^y 18^th, 1770.

The House took under consideration the acco^ts of the Commissioners on a Journey to Boston to a Court for the tryal of Piracy &c. and after considering the same, The House adjourned to three o'clock

P. M.

The House resumed the consideration of *the consideration of* the Commissioners Acc^ts and after Debate thereon it was moved that s^d acc^ts should lay for further consideration, which being put to vote it Passed in y^e affirmative.

[P. 345.] Fryday, Jan^y 19^th 1770, P. M.

The Acco^t of the Hon^bl George Jaffrey Esq^r Treasurer being read,

Voted, That the same be allow'd Excepting the article of one hundred and fifty Pounds charged for his allowance, for which there be allow'd the sum of one hundred and twenty-five Pounds only which will make the Ballance due to the Province Eight Pounds seven shillings and four Pence half-penny, and that he charge himself therewith in his next Acco^t and also with the money Rendered as outstanding taxes in the several Places mentioned in this acco^t amounting to two hundred and twenty two Pounds two shillings and one Penny half penny Lawful money

which will make the Treasurer's acco^{ts} more Plain and Easy to be settled in future. Sent up by Maj^{r} Downing & Doc^{r} Bartlett.

[P. 346.] The Dep^{y} Sec^{y} Bro't from the Board a memorial of James Hudson Representing that he had been at Great Expence in seting up Salt Works which would be of great benefit to the Publick and praying for some help therein.

Saturday Jan^{y} 20th, 1770.

Voted That John Sherburne Esq^{r} and Mr. Jacob Sheafe be a Com^{tee} of this House to joyn with such as shall be appointed by the Hon^{ble} Councill to farm out the Excise on Spirituous Liquors to a Receiver or Receivers as they shall judge best, to be commissioned by the Governor to make a faithfull Collection of the same, and that the money arising thereby be put into the treasury to be applied to the use of the Government as the Governor Councill & Assembly shall order. This selling or farming shall be for one year only commencing the first Tuesday in Sep^{r} 1769, and that the Receiver or Receivers to whom the same shall be farmed or Lett shall give sufficient Security to the Treasurer for the time being as the Com^{tee} shall Direct. Sent up Tuesday 23^{d} Jan^{y} by Capt. Worthen. [Concurred, and Hon^{bl} Jona. Warner & Dan. Rindge, joined.]

[P. 347.] Tuesday, Jan^{y} 23^{d}, 1770, P. M.

The memorial of Capt. Hudson Respecting the manufactory of Salt being considered, it was put to Vote Whether the House will make any grant to s^{d} Hudson on that acco^{t}. It Passed in the Negative.

Wednesday, Jan^{y} 24, 1770.

The House took under consideration the acco^{ts} of his Exc^{y} the Gov^{r}, George Jaffrey and Jona. Warner Esq^{rs} & Robert Trayle Esq^{r}. for their Expences in a Journey to Boston on a Tryal for Piracy &c. which being considered a motion was made for Reconsidering a Determination of the House on yesterday that acting on said acco^{ts} should be Defer'd till the time of making the supply Bill; which motion for Reconsidering being Try'd it Passed in the Negative.

[P. 356.] (1) P. M.

Voted, That the Hon^{bl} Daniel Peirce Esq^{r} be and hereby is continued Recorder of Deeds and conveyances of Real Estates

(1) Pages 348 — 355 contain tables of attendance of members. — Ed.

and all other Instruments by Law to be recorded in said office, within this Province for the term of one year from this Date and until the tenth Day of the siting of the Gen^{l} Ass^{m} next after the Expiration of said term Unless his Majesty's Allowance of the Act for Dividing the Province into Counties shall be known here within that term, and in that case only till the tenth Day of the siting of the Gen^{l} Ass^{m} next after that, and that he shall not be Qualified to act as Recorder untill he hath given Bond with sufficient sureties Joyntly & Severally in the sum of two Thousand Pounds Lawfull money unto the Hon^{bl} Speaker of the House of Representatives for the time being, and taken an oath for the faithfull Discharge of said office; and that the Hon^{bl} Jonathan Warner and Daniel Rindge Esqr^{s}, the Hon^{bl} Peter Gilman, Esq^{r} John Sherburne Esq^{r} and Mr. Jacob Sheafe be a Com^{tee} they or the major part of them to take the Books and Papers belonging to s^{d} office of Recorder into their custody in case of the Death or incapacity of the Recorder or on the Expiration of the aforesaid term, and them safely keep untill further order of the Gen^{l} Ass^{m} and that they be under Oath for the faithfull Discharge of their trust. Sent up by Dr. Thompson. [Read at the Board, and sent down for amendment afterwards concurr'd.]

Thursday Jan^{y} 25 1770.

[p. 357.] The Hon^{bl} Peter Livius Esq^{r} Bro't from the Board the Report of the Com^{tee} for Examining the Report of the Com^{tee} for Bills, as follows, viz.

Province of New Hamp^{r} } Jan^{y} 25th 1770.

According to our appointment by a vote of the Council & Assembly of the 24th Instant to examine the acc^{t} of the Committee for Drawing Bills on the Agent of the Province, we have carefully Examined the vouchers & Account of the Chairman of the said Committee from the 28th day of May 1768 to the 2^{d} Sept^{r} 1769 both Inclusive & we find the same truly cast & well vouched, that they are equal on both sides & no ballance due to or from the said Committee & we beg leave to Report accordingly.

Peter Livius
Jonathan Warner.
Daniel Rindge
Jacob Sheafe
Christop^{r} Toppan
John Giddings.

[p. 358.] The Dep^{y} Sec^{y} Bro't from the Board the following vote of Councill, viz.

Province of New Hamp^{r} } In Council 25th Jan^{y} 1770.

Whereas the Province hath a just & Equitable claim to the Reimbursement of a considerable Sum which was advanc^{d} by the Province in Conjunction with others of her Majestys Colonies on this Continent towards the Expence

of the late War & the other Colonies have been reimbursed their Respective proportions but this Province hath not yet received its proportion,

Voted That the Hon^ble^ Daniel Warner & Peter Livius Esq^r^ be a Committee to join with such as shall be appointed by the Hon^ble^ Assembly to prepare a most Humble & Dutifull Petition to his Majesty praying Redress herein & that they make Report thereof to the Gen^l^ Assembly as soon as may be.

Geo. King, D: Sec^y^.

The above Vote of Councill Read and concurred and the Hon^ble^ Peter Gilman Esq. and John Sherburne, Esq^r^ added to the Com^tee^ on the part of the House. Sent up by Mr. Parker, Jan. 26.

Fryday Jan^y^ 26, 1770. (*a*)

(*a*) Votes, petitions &c. passed by the House and concurred by the Council from Jan^y^ 9^th^ to Jan^y^ 26^th^, 1770.]

Petition of Noah Rawlins respecting redeeming some lands — hearing granted.

Petition of Jonathan Currier & others of South Hampton to be annexed to Newtown — hearing granted.

Petition of Patrick Bonner, a blind man, praying for relief referred to Selectmen of Chester & Litchfield.

Petition of Joseph Steel & others, respecting lands sold in Amherst — dismissed.

Petition of Ezekiel Lane relating to establishment of a place for meeting-house in Raymond — to lie for consideration.

Petition of Richard Jenness, in behalf of Deerfield, laying a tax for building a meeting house — hearing granted.

Petition of Elis^a^ Barter for a divorce from her husband — hearing granted.

Petition of Eben^r^ Knowlton and others, of Seabrook, praying liberty to assess the inhabitants for support of Rev. Mr. Perley (1) — hearing granted.

Petition of George Peirce, Samuel Hains & Edmund Coffin, for liberty to prosecute a Review of an action, against them by Samuel and Paul Lord — hearing granted.

Petition of Richard Jenness Esq. for some Relief respecting money due from him for Excise &c. — not granted.

[P. 359.] Saturday, Jan^y^ 27^th^ 1770.

The Sec^y^ came from the Board and inform'd the House that as the house by a message yesterday had Requested an adjorm^t^, he was Directed by his Excellency the Governor to adjourn the Gen^l^ Ass^m^ of this Province to Tuesday the 20^th^ Day of March next at ten o'clock in the forenoon and in his Majesty's Name Declar'd the same to be adjourned accordingly.

Att. M. Weare, Clr.

(1) Rev. Samuel Perley was ordained over a Presbyterian Society in Seabrook, 1765, and dismissed in 1775.—Ed.

Journal of the House of Representatives from the 20th March, 1770, to the termination of the British Government over the Province.

NOTE BY THE EDITOR.

The "JOURNAL OF THE HOUSE," which follows, is copied from a MS. volume in the office of the Secretary of State, labeled "JOURNAL OF THE HOUSE, 1770–1775."

This "Journal of the House" will be found of great interest, as relating to affairs of the Province and the spirit of the people as the period of the Revolution drew nigh. It will be found worthy of the careful study of all who would thoroughly understand the position of the Province preliminary to the American Revolution.

Members of the House, 1770–1771.

[Copied from introductory pages of the Journal.]

Exeter	Hon^ble Peter Gilman, Esq. Capt. John Giddings
Portsmouth	William Parker, Esq^r John Sherburne Esq^r Mr. Jacob Sheafe.
Dover	Tho^s W^k Waldron, Esq^r Otis Baker, Esq^r
Hampton & Hampton Falls,	Col^o Jon^a Moulton, Esq^r Christopher Toppan, Esq^r Meshech Weare, Esq^r
Newcastle & Rye,	Thomas Bell, Esq^r Richard Jennes, Esq^r
Kingston,	Col^o Josiah Bartlett, Esq^r
Newington,	Maj^r Rich^d Downing, Esq^r
Stratham	Andrew Wiggin, Esq^r
Londonderry,	Samuel Livermore, Esq^r
Greenland	Col^o Clement March, Esq^r
Durham	Doct^r Ebenezer Thompson
Newmarket	Lieut. John Burley
South Hampton	Capt. Eliphalet Merrill.
Chester	John Webster, Esq^r
Plastow, Hampstead, Atkinson	Capt. Jon^a Carlton
Salem & Pelham	Maj^r Joseph Wright
Somersworth	Col^o John Wentworth
Holles	Maj^r Samuel Hobart, Esq^r.
Merrimack & Monson	Capt. John Chamberlain
Nottingham West & Litchfield	Capt. Samuel Greeley
Kensington	Capt. Ezekiel Worthen
Rochester	Dea^n James Knowles
Barrington	Lieut. Samuel Brewster

Amherst & Bedford	Col° John Goffe, Esq^r
Winchester	Col° Josiah Willard
Keene	Maj^r Josiah Willard
Charlestown	Capt. Simeon Stevens.

Col. Goffe to be allowed for 80 miles travil at sundry times part way to the Court, in adjournm^ts which he did not hear of.

Maj^r Wright to be allowed 50 miles Trav^l for Do.

Mr. Greeley to be allowed 72 miles Tr^l for Do.

Maj^r Hobart to be allowed for 106 miles Tr^l for Do.

[P. 1.] Tuesday, March 20^th^, 1770.

Met according to adjournm^t and adjourned till tomorrow 10 o'clock.

Wednesday, March 21^st^ 1770.

Voted That Mr. Sheafe, Col° Moulton & John Webster Esq^r be a Com^tee^ to wait on his Excellency to Desire he will Direct the Treasurer to lay his Acc^ts^ before the House as soon as may be.

Voted That John Sherburne Esq^r and Mr. Jacob Sheafe be a Com^tee^ of this House to joyn with such as the Hon^ble^ Councill shall appoint to tell over the money in the Treasury to be burnt and lock up the same in the Province Strong Box and make Report to the Gen^l^ Ass^m^. as soon as may be. Sent up by Capt. Carlton. [Concurred and Hon^ble^ Theo. Atkinson & Daniel Rindge, Esq. added.]

P. M.

Voted that Sam^l^ Livermore Esq^r and Doc^r^ Eben^r^ Thompson be a Com^tee^ to prepare an Act relative to Establishing fines, and lay it before the House as soon as may be.

[P. 3.] Fryday, March 23^d^ 1770.

Voted, That John Sherburne, Esq^r^ Mr. Jacob Sheafe, Samuel Livermore, Esq^r^ Tho^s^ W^k^ Waldron Esq^r^ Christopher Toppan Esq^r^ Capt. John Giddings, Josiah Bartlett Esq^r^ and Doc^r^ Ebenezer Thompson be a Com^tee^ to consider of some method which may be most Equitable for Establishing a method of Rateing.

P. M.

The House took under consideration the complaint of Col° Moulton Relative to Col° March's misbehavior towards him, and both parties were freely heard on the matter. The House adjourned till tomorrow 9 o'clock.

Saturday, March 24th 1770.

Voted that William Parker and Samuel Livermore Esqr be a Comtee to joyn with such as the Honble Councill shall appoint to collect and Print a correct Edition of all the Acts of this Province now in force and that one hundred and fifty setts shall be Done at the charge of the Province. Sent up by Esqr Jenness. [Concurred, and Honble Peter Livius & Geo. Jaffrey Esqrs added.]

The House resumed the consideration of the affair of Colo Moulton and Colo March heard yesterday and the same being fully considered it appeared to the House that Colo March has been guilty of a Breach of the first Rule of this House, and thereupon, Voted, That Colo March be admonished by the Speaker in the following manner, viz:

Colo March—

The House have considered of the Complaint exhibited against you as a member of this House, by Colo Moulton another member of this House, for a breach of this first rule of the House: On which you have been Patiently heard, your Evidences and allegations duly considerd. The House are of opinion that the complaint is fully proved & that agreeable to said Rule, you should be admonished by me.

[P. 4.] I therefore accordingly admonish you, that as it is agreed by the House that you have been guilty of an Indecency & unbecoming a Member of this House in the case complained of, so you would be carefull to conduct & Regulate your future behaviour in such a manner as to conciliate the Esteem of this House. (1)

Wednesday, March 28th, 1770.

The Secy Brot from the Board the following Report of the Comtee to tell money to be Burnt, viz.

Province of New Hampr } March 28th 1770.

[P. 5.] The Comtee appointed by vote of the General Assembly to tell over and Receive from the Treasurer such Sums as might be in the Treasury to be burnt agreeable to the several Acts for Emitting the same have accordingly accompted & Received from Mr. Treasurer Jaffrey the sum of Thirteen Hundred & Ninety eight pounds and six pence three farthings Lawful Money which sum we have Locked up in the Province Strong Box and now waits the order of the General Assembly.

Theodore Atkinson
Daniel Rindge
John Sherburne
Jacob Sheafe
} Committee.

[P. 6.] The Report of the Committee for telling money in the Treasury to be burnt being consider'd

(1) The exact nature of the complaint made by Col. Moulton against Col. March is not stated; bnt the first Rule of the House which was violated, is as follows, viz. "That whosoever shall by any misbehaviour in speech or action justly offend any of the members of the House, shall for the first offence be admonished, for the second, fined as the House shall see meet."—Ed.

Voted, That it be accepted and that the money be immediately burnt to ashes.

The Dep^{y} Sec^{y} Bro't from the Board the Petition of Mrs. Sarah Sherburne widow of the Hon^{ble} Henry Sherburne, Esq^{r} Deceased in behalf of sundry children of said Deceas'd who are minors, Representing that it was the intent of the Deceas'd that said minors should be educated & supported at the charge of the whole Estate &c. and Praying that she may be authorized to proceed according to said intent, &c. (*a*)

(*a*) Jour. C. & Ass^{m} 28th Mar. 1770. The petition of Sarah Sherburne administratrix of the Estate of Henry Sherburne late of Portsm^{o} Esq^{r} (her late husband) deceas'd Intestate, Praying that seven of her children who are minors may be supported to the age of Twenty one years out of the said Estate, for the reasons assigned in the Petition. Read & sent down.

The petition of Mrs. Sarah Sherburne being consider'd

Voted, That the petitioners be heard on this Petition on Thursday the twelfth Day of April next if the General Assembly be then sitting, & if not then on the second day of their siting after & that she serve Henry Sherburne, Daniel Sherburne, & Sam^{l} Sherburne, & Capt. Woodbury Langdon Sons & Son in Law of the said Henry Sherburne, Esq^{r} Deceas'd with a copy of this Petition & order of Court that they may shew cause, why the Prayer thereof may not be granted. Sent up by Maj^{r} Hobart. [Concurred.]

Thursday, March 29th 1770.

Whereas Walter Bryant and Andrew Wiggin Esq^{rs} and Lieut. John Burley have Petitioned the Governor Councill and Assembly [p. 7.] setting forth that in & by an Act of this Province pass'd in the Eighth year of his Majestys Reign they were allow'd to Raise by a Lottery or Lotterys the sum of one Thousand Pounds Lawf^{l} money to build a Bridge over Exeter River from Stratham to New Markett, and that the term of two years was allowed them for compleating the same: and that notwithstanding their utmost Diligence used in prosecuting said Design they have not been able to compleat the same; and the said term of two years is Elapsed, they have therefore prayed the aid of the General Assembly, Therefore,

Voted and Resolved, That the space and term of two years longer be allowed them from this Day to carry on and to compleat the purposes of said Act. Sent up by Mr. Jenness. [Concurred.]

Fryday March 30th, 1770.

The Sec^{r} Bro't from the Board the Treasurer's Acc^{ts} with the following Report of the Com^{tee} chosen to Examine them. viz.

Province of New Hampshire } Portsmouth 30 March 1770.

We being a Committee appointed by the General Assembly to Examine the accounts and vouchers of the Treasurer's account have attended that service and have carefully Examined the foregoing Acc^{t} of the Hon^{ble} George Jaffrey Esq^{r}. Treasurer &c. and find the same well vouched and Right cast and accordingly beg leave to Report the same. The Ballance due to the Province being one hundred and fifty Pounds fifteen shillings and two pence half-penny Lawful money he accounting for the outstanding Taxes mentioned in the Acc^{t} by charging himself therewith in his next account.

Theodore Atkinson
Jonathan Warner
Daniel Rindge
John Sherburne
Christopher Toppan
John Giddinge

[P. 9.] Tuesday, April 3^{d} 1770. P. M.

An Act to Establish an Equitable method of making Rates and taxes and Determining who shall be Legal voters in Town affairs, having been three times Read,

Voted That it Pass to be Enacted. Sent up by Mr. Jenness. [Concurred and passed.]

Whereas Ebenezer Moulton, Richard Smith Elisha Brown and Jon^{a} Weare have petitioned the Gen^{l} Ass^{m} seting forth that they have given their Security to several Persons for sundry sums of money Due from the late Presbyterian Society of Hampton falls now Seabrook amounting to one hundred pounds Lawful money most part of which sum became Due from Said Society for the [P. 10] support of the Rev^{d} Mr. Pearley before they were Invested with Legal Power to collect Taxes; and Praying that they might be authorized to make a Just and Equitable Assessment on the several persons concern'd in agreeing with said Perley for said sum and that they might be authorized to collect the same — and all parties being duly Notified to attend, The said Petitioners was heard on their said petition, and the same appearing to be Reasonable and Just,

Therefore Voted and Resolved, That the said Petitioners be impowered to make an Assessment on the several persons concern'd in the aforesaid agreement with Mr. Pearley for the said hundred Pounds, according to the form in which taxes are usually made in proportion to each persons Estate; And to give out a warrant in the usual form to Collect the same, and the Collector for the said parish of Seabrook for the time being is hereby authorized to Collect the Same for the said Petitioners to discharge the said sum. Sent up by Mr. Baker. [Concurred.]

[P. 11.] Wednesday, Apr^{l} 4th 1770.

An Act to continue the last Excise Act having been three times read,

Voted That it pass to be enacted. Sent up by Maj^{r} Wright. [Concurred and passed.]

P. M.

Whereas Mess^{rs} Daniel and Sam^{l} Sherburn on the 21st Day of Apr^{l} A. D. 1767 gave their Note of hand Payable to the Treasurer of this Province for the time being for five hundred and five Pounds Eighteen Shillings six pence sterling being a sum due to this Province for a set of Bills of Exchange on the Treasurer of Pennsilvan^{a} drawn by the Com^{tee} of this Province for drawing Bills, which sum is still due to this Province, which Note is now in the hands of the Hon^{bl} Col^{o} Atkinson, Therefore

Voted, That the same be delivered to the Treasurer of this Province, and that the said Treas^{r} be impowered to take a new note with good security for said sum payable to said Treasurer or his successor in said office in six months with Lawful interest till paid, & on his recei^{g} such security that the said old note be delivered up. Sent up by Mr. Brewster. [Concurred.] Adjourned till Monday next, 3 P. M.

Monday Ap^{l} 9th 1770, P. M.

The petition of Rev^{d} David McGregore praying for an allowance of the money Recovered against Aaron French — said French having been committed to Prison & Escaped, being considered,

Voted, That there be allowd and paid out of the Money to be put into the Treasury by the next supply Bill, thirty six Pounds three shillings five pence in full for the Escape mentioned in s^{d} Petition. Sent up by y^{e} Clerk Aprill 11. [Concurred.]

[P. 12.] The Petition of James McHurd Esq. for an allowance for the escape of Aaron French, being considered,

Voted That there be allowed and paid out of the money to be put into the Treasury by the next Supply Bill unto James McHurd Esq^{r} forty seven pounds seventeen shillings two pence in full for the escape mentioned in s^{d} petition. Sent up by the Clerk Ap^{r} 11. [Concurred.]

The petition of Capt. Jonathan Swett for an allowance for the escape of Nathan Longfellow, being considered,

Voted that there be allowed and paid out of the money to be put into the Treasury by the next Supply Bill unto Capt. Jonathan Swett three pounds seventeen shillings in full for the escape mentioned in s^{d} petition. Sent up by the Clerk Ap^{r} 11. [Concurred.]

The petition of Peter Clements for an allowance for the escape of Aaron French, being considered,

Voted, That there be allowed and paid out of the money to be put into the Treasury by the next Supply Bill unto the said Peter Clements fifteen Pounds one shilling one penny in full for the escape mentioned in said Petition. Sent up by the Clerk Ap^{l} 11. [Concurred.]

Tuesday April 10th 1770.

[p 13.] Voted That John Sherburne Esq^{r} and Mr. Jacob Sheafe be a Com^{tee} of this House [with such] as shall be appointed by the Hon^{bl} Councill to repair the Province goal and to keep the same in repair from time to time for the space of one year and till the third day of the sitting of the General Assembly after, at the charge of the Province in order to Prevent the Province being put to further charge by means of Prisoners escapes. Sent up by Maj^{r} Wright. [Concurred & Hon^{bl} Daniel Rindge & Daniel Rogers, Esq^{r} added.]

Voted, That the Bill of Cost for the Tryal of Maurice Cavenaugh amounting to Seven pounds sixteen shillings be allowed and paid to the Clerk of the Sup^{r} Court out of the money that is or may be in the Treasury to be by him paid to the Persons mentioned in the Bill. Sent up by the Clerk April 11.(*a*)

(*a*) Jour. C. & Ass^{m}. April 11, 1770. [Bro't up from the House] a Bill of cost from the Sup^{r} Court for the tryal of Maurice Cavenaugh for the supposed murder of one George Henderson, & vote of allowance thereon, being £7: 16 L^{l} m^{y}. Read & Concurred.

The Dep^{y} Sec^{y} Bro't from the Board the Petition of Daniel Rogers Esq^{r} and others managers of the Isle of Shoals Lottery. Praying an allowance for their charges &c.

[p. 14.] Wednesday April 11th 1770.

Voted That there be and hereby is granted unto his Exc^{y} the Governor of this Province the sum of Sixty Pounds Lawfull money in consideration of his Extraordinary Services and Expences in attending the Special Court of Admiralty for the Tryal of Piracy on the high seas holden at Boston in June last. Sent up by Capt. Chamberlin. [Concurred.]

[Hon^{bl} Jona. Warner and George Jaffrey, allowed £10. each lawful money, for like attendance.]

An Act in addition to an Act passed in the thirteenth year of the Reign of her late Majesty Queen An Entituled an Act for the maintenance and supply of the Ministry within this Province, haveing been three times Read,

Voted That it pass to be Enacted. Sent up by Deac^{n} Knowles. [Concurred & passed.]

[p. 15.] Voted, That the acc^{t} of the Com^{tee} for Preparing the Act for Dividing the Province into Counties &c. amounting to five Pounds fourteen shillings be allow'd and paid out of money that is or may be in the Treasury unto the Hon^{ble} Daniel Warner Esq^{r} to be by him paid to the several Persons above mentioned. Sent up by Maj^{r} Hobart.

P. M.

The petition of sundry Inhabitants of Hampton Falls Praying that a Com^{tee} may be appointed to view the Parish &c. Relative to the situation of a meeting house was taken under consideration and the Parties being fully heard thereon

Voted That Tho^{s} Westbrook Waldron, Richard Downing Esq^{rs} and Doc^{r} Eben^{r} Thompson be a Com^{tee} of this House to view the situation of the Parish and make Enquiry Respecting the Circumstances of their Meeting House and make Report as soon as may be. Sent up by the Clerk, [afterwards withdrawn.]

An Act to Revive and continue in force Sundry Acts and Laws now Expired or near Expiring haveing been three times Read,

Voted that it Pass to be Enacted. Sent up by Col^{o} Moulton. [Concurred & passed.]

Thursday, Apr^{l} 12th 1770.

The House took under consideration the Petition of Mrs. Sarah Sherburne bro't Down the 28th of March last and the Parties being fully heard thereon by their Councill,

Voted That the said Petition be dismissed.

[p. 16.] Voted That there be paid to his Excellency John Wentworth Esq^{r} our Governor out of the money that is or shall be in the Treasury the sum of seven hundred Pounds Law^{l} money for one years salary commencing on the thirteenth Day of June next, the one half to be paid on the said thirteenth of June and the other half on the thirteenth Day of December next following, and also the sum of Sixty seven Pounds Law^{l} money for House Rent for the same time. That his Excellency be Desired to Draw the same out of the Treasury with advice of Councill. Sent up by Col. Goffe & Capt. Greeley. [Concurred.]

Voted That there be paid out of money in the Treasury unto the heir or heirs of the Hon^{bl} Theodore Atkinson jun. Esq^{r} De-

ceas'd, forty Pounds Law[l] money for his service as Secretary from the first Day of March 1769 to the first Day of November 1769.(1) Sent up by Col. Goffe & Capt. Greely. [Concurred.]

P. M.

[P. 17.] Voted That there be allowed to Rachel Clough Eighteen shillings and to Anne Clough Nine shillings to be paid out of money in the Treasury in full for their attendance as witnesses at the Tryal of Ruth Blay. Sent up by Doc[r] Bartlett. [Concurred.]

Whereas it appears by an Attested Copy from the Council books that in February 1755 there was allowed to Mr. John Sherburne for Warehouse hire &c. one hundred & twenty five Pounds Lawful money, which money it appears on examination was never paid,—

Therefore Voted That there be allowed & paid to the said John Sherburne Twenty five Pounds Lawful money in full for the use of said Warehouse out of money in the Treasury. Sent up by Deacon Knowles. [Concurred.]

Fryday Apr[l] 13[th] 1770.

[P. 18.] Voted That John Sherburne Esq[r] and Mr. Jacob Sheafe be appointed a Com[tee] of this House to joyn with such as shall be appointed by the Hon[bl] the Council to farm out the Excise on Spirituous Liquors to a receiver or Receivers as they shall judge best, to be Commissioned by the Governor to make a faithfull collection of the same, & that the Money arising thereby be put into the Province Treasury to be apply'd to the use of the Government, as the Governor Council & Assembly shall order. This selling or farming shall be for one year only commencing the first Tuesday in September 1770, & that the Receiver or Receivers to whom the same shall be farmed or Lett shall give sufficient security to the Treasurer for the time being as the Com[tee] shall direct. Sent up by Capt. Worthen. [Concurred.]

An Act for Granting unto his most Excellent Majesty the sum

(1) "Theodore Atkinson, jr., one of his Majesty's Council, and Secretary of the Province, departed this life on Saturday, the 28th of October, aged thirty-three years; and on the Wednesday following, his remains were deposited in the family tomb at Queen's Chapel. During the procession minute guns were fired at Castle William and Mary, and from his Majesty's ship Beaver in the harbour; and every other testimony of respect was shown, which his public station and private virtues demanded. He was the only son of the Honourable Theodore Atkinson, Chief Justice of the province and President of the Council. He received his education at Harvard College, and was graduated in the year 1757. He was mild and obliging in his disposition, faithful and correct in his official duties, and devout in the exercises of religion."

"Saturday, November 11th, Governor Wentworth was married by the Rev. Arthur Brown, in Queen's Chapel, to Mrs. Frances Atkinson, relict of Theodore Atkinson, jun., deceased, and daughter of Samuel Wentworth, Esq., of Boston. Her full maiden name was Frances Deering Wentworth." [*Adams' Ann. Portsmo., p.* 225.]—ED.

of two Thousand Pounds Law[l] money for the uses and purposes therein Declared, Having been three times Read,

Voted That it pass to be Enacted. Sent up by Capt. Chamberlin & Mr. Webster. [Concurred & passed.]

P. M.

Voted That his Excellency the Capt. General be Desired to give Orders for Inlisting five men to be posted at his Majesty's fort Wm. & Mary for one year commencing the first day of March last under such officer as he shall be pleased to appoint. The pay of the officer shall be thirty six shillings Law[l] money pr month, and each Private Eighteen shillings pr month and five shillings pr week for Billeting to be paid when the Muster Roll shall be allowed by the General Assembly. Sent up by Capt. Worthen. [Concurred.]

[P. 19.] Saturday Apr[l] 14[th] 1770.

The Act to preserve the fish in Piscataqua River Having been three times Read,

Voted that it pass to be Enacted. Sent up by Col[o] Goffe. [Concurred & passed.]

A motion was made that the Address to his Majesty which was prepared some time past but had not yet been sent, should now be forwarded to the agent with a Letter to him Directing him how to proceed with the same.

The Question being put it Pass'd in the affirmative.

The Address is as follows:

To the Kings Most Excellent Majesty —

The Humble Petition of the House of Representatives of your Majesty's Province of New Hampshire, shews:

That your Majestys Loyal and Dutifull subjects the Representatives of your Province of New Hampshire with the most profound Humility and the Deepest sense of Duty and Affection Beg leave to Supplicate your Majesty and to present our most Gracious Sovereign a view of the Grievances and Distresses under which your Majesty's good subjects of this Province Labour.

We esteem it the Happy Privilidge of all your Majestys subjects in all the Difficulties and Distresses they feel wherein your Majesty may give Releaf to have free liberty to approach the Royal Presence with those Supplications which they hope will prove effectual. And we do not Entertain the least suspicion that your Remote American Subjects are or even will be Excluded from that Priviledge.

[P. 20.] We most heartily and sincerely Profess our allegiance to your Majesty of which we trust our conduct & Behaviour has always given the clearest Evidence; the Obedience and affection of the People of this Province to your Majesty and your Royal Predecessors has we apprehend never been called in question or in any means doubted,

Our Ancestors from England transplanted themselves to this Country at their own expence. They bro't over with them their Natural allegiance to the Crown of England with an inseperable unalienable Right to all that Pro-

tection of their Liberty and Property to which all Liege Subjects of the British Empire are Intituled. After they had conquered the Savages of the wilderness at an almost incredible Expence of Blood and treasure and settled themselves in a Country which on their first arrival they found a howling Wilderness, your Majestys Royal Predecessors as a Proper Reward of their Labour and Peril in Extending the English Empire were pleased to grant a Power of Legislation limited to the approbation or disallowance of the Crown with the Power and Priviledge essential to British liberty of Raising Internal Taxes by their own Representatives, which priviledge and Right they from the first erecting a Government here, and we after them have enjoy'd till the late Acts of Parliament Enacted for the sole & Express Purpose of Raising a Revenue in America; which acts we would humbly Represent to your Majesty are subversive of those Rights and liberties which our Ancestors so Dearly purchased.

We do by no means Dispute the authority of the British Legislature, We have Ever been and still are obedient to all acts of Parliament Regulating the affairs of your Majestys Subjects in general and the Due Administration of Justice without complaint. But we cannot but be sensibly affected with the loss of that advantage without which we are no longer free men nor can have any claim to the peculiar Glory and Boast of the subjects of the British Empire, which is the absolute Disposal of their own property. But these Acts tax us without our own consent and deprive us so much of our property as in virtue thereof is taken from us without our voice and contrary to our Priviledges as Englishmen; and we humbly apprehend our Complaint in this Respect cannot Justly be imputed to us as a fault or tending to Disloyalty or Disaffection to Government, for we humbly apprehend we should be unworthy the character of your Majestys subjects and Englishmen if we had not Sensibility to perceive the happy Constitution of Government we live under and to Deprecate the loss of it.

The Assemblies of this Province have always Readily complied in a Constitutional way with every Requisition from your Majesty to contribute to the utmost of their ability for the Defence of any of your Majestys Dominions, and we beg leave to Represent to your Majesty the hardships and impropriety that our Property should be granted by the House of Commons of Great Brittain, in which we are not nor can be Represented, who bear no part of the burden of the taxes they are pleas'd to grant to be levied on us and who by their local situation and want of Seasonable intimate knowledge of the circumstances of this Country are unlikely to fix upon the most Expedient and Equitable method of Levying taxes here.

[P. 21.] We humbly apprehend that taxes being imposed on us by way of Duties on any of the Necessaries of life or in any other measure whatsoever without our consent must necessarily terminate in the total loss of our Liberty and Distruction of our property; and most humbly beg leave to suggest that in every instance wherein your Majestys subjects are unconstitutionally Deprived of their just Rights your Majesty's Government is weakened.

Wherefore in full and Humble confidence of your Majestys Paternal and Impartial Regard to the happiness and tranquillity of all your subjects, we are Encouraged to make this humble application and to Intreat your Majesty would be graciously Pleased to take our Petition into your wise consideration and Grant us such Relief therein as to your Royal Wisdom shall seem meet: And we beg leave to add that it is our Earnest prayer to the Supreme Governor of the Universe that all kinds of Blessings may be granted to your Majesty and your Royal offspring, and that all your subjects may be long happy under your Auspicious Reign.

By order of the House of Representatives

P. GILMAN, Speaker.

Oct^{r} 29th 1768.

The following Letter to the Agent was sent with the Address viz.

Province of New Hampshire

Portsmouth, Apr^{l} 11th 1770.

Sr.—

The Assembly of this Province being sensible of the Burdens and hardships which his Majestys good subjects here as well as in his other Provinces and Colonies have sustaind by the late Acts of Parliament which have succeeded the Stamp Act, tho't it their Duty to their Constituents to present their humble Petition to his Majesty to Represent their sense of the situation they were in by the operation of those Acts. That it was matter of great Grievance and humbly to pray for that Relief which as loyal and Dutifull subjects from his Majestys known clemency and Goodness they had just Ground to Expect; and did accordingly prepare the Address herewith presented, but by some accident occurring it was not sent at the time Designed; yet they judged it proper to send it to you now, and ordered me so to do with this Instruction as their Agent: That if the Acts Referrd to are Repealed to suppress it,— if not to present it; That if it has no other effect, it may at least Demonstrate that we have Sensibility to feel the Oppression and are much aggrieved as well as others with the weight of the General Burden, and hope it may serve as a Remembrancer that we acted in Concert with our neighbors to obtain a Removal of the Burdens under which we groan, and it is their Earnest Request that you use every Loyal Measure for obtaining the Desired Relief.

I am, S^{r}, your most humble Ser^{v}.

By order of the House of Representatives

Barlow Trecothick, Esq.

[p. 22.] A motion was made that the Letters from the Speaker of the House of Burgesses in Virginia and the Resolves therewith sent, and the answers to said Letters might be read, as also the Letter from the Speaker of the Lower House of Assembly in Maryland and the Resolves therewith sent, and the Answer to said Letter — which being all read and considerd

Voted, That they be all entered in the Journals of this House, and are as follows.

Virginia, May 9th 1768.

Sir —

The House of Burgesses of this Colony having very attentively considered several late acts of the British Parliament, and being of opinion that they manifestly tend to deprive the Inhabitants of the Colonies of their rights and privileges, have thought it their duty as Representatives of a free people, to take every regular step to assert that constitutional liberty, on the destruction of which those laws seem to be erected.

They have therefore thought proper to represent That they are sensible of the Happiness and security they derive from their connexions with and dependence on Great Britain, and under the greatest concern that any unlucky incidents should interrupt that salutary harmony, which they wish ever to subsist. They lament that the remoteness of their situation often exposes them to such misrepresentations, as are apt to involve them in censures of disloyalty to their Sovereign, and the want of a proper respect to the British Parliament: Whereas they have indulged themselves in the agreeable pursuasions that they ought to be considered as inferior to none of their fellow-subjects in loyalty and affection.

That they do not affect independence of their parent Kingdom, the prosperity of which they are bound to the utmost of their abilities to promote, but cheerfully acquiesce in the Authority of Parliament to make laws for

preserving a necessary dependance, and for regulating the trade of the Colonies; Yet they cannot conceive, and humbly insist, it is not essential to support a proper relation between a mother country and colonies transplanted from her, that she should have a right to raise money from them without their consent; and presume they do not aspire to more than the natural Rights of British subjects, when they assert that no power on Earth has a right to impose taxes on the people, or to take the smallest portion of their property without their consent, given by their Representatives in Parliament. This has ever been considered as the chief pillar of the Constitution; without this support, no man can be said to have the least shadow of liberty, since they can have no property in that which another can by right take from him when he pleases, without their consent.

[P. 23.] That their Ancestors brought over with them entire, and transmitted to their descendants the natural and constitutional rights they had enjoyed in their native country; and the first principles of the British constitution were early engrafted into the constitution of the Colonies. Hence a legislative authority, ever essential in all free States, was desired, and assimilated as nearly as might be to that in England; the executive powers and the right of assenting or dissenting to all laws reserved to the Crown, and the privilege of choosing their own Representatives continued to the people, and conferred to them by repeated and express Regulations. The government thus established, they enjoyed the fruits of their own labour with a security which liberty only can impart. Upon pressing occasions they applied to his Majesty for relief, and gratefully acknowledge they have frequently received it from their mother country; whenever their assistance was necessary, requisitions have constantly been made from the Crown to the Representatives of the people, who have complied with them to the utmost extent of their abilities. The ample provision made for the support of the civil Government, in the reign of King Charles the Second, and at his request, and the large supplies voted during the last War, upon requisitions from his Majesty and his royal grandfather, afford early and late instances of the dispositions of the Assemblies of this Colony, and are sufficient proofs that the Parliament of Great Britain did not, till lately, assume a power of imposing taxes on the people for the purpose of raising a revenue. To say that the Commons of Great Britain have a right to impose internal taxes on the inhabitants of this continent, who are not and cannot be represented, is in effect to bid them prepare for a state of Slavery. What must be their situation should such a right be established? The Colonies have no constitutional check on their liberality in giving away their money, cannot have an opportunity of explaining their grievances, or pointing out the easiest method of taxation, for their doom will generally be determined before they are acquainted that the subject has been agitated in parliament, and the Commons bear no proportion of the taxes they lay upon them. The notion of a virtual representation, which would render all our rights merely ideal, has been so often and so clearly refuted that nothing need be said on that head.

The oppressive Stamp Act confessedly imposed internal Taxes, and the late Act of Parliament giving and granting certain duties in the British Colonies plainly tend to the same point. Duties have been imposed to restrain the commerce of one part of the Empire that was likely to prove injurious to another, and by this means the welfare of the whole promoted, but duties imposed on such of the British exports as are necessaries of life, to be paid by the Colonies on importation, without any view to the interests of Commerce, but merely to raise a revenue, or in other words to compel the colonists to part with their money against their inclinations, they conceive to be a Tax internal to all intents and purposes, and can it be thought just or reasonable, restricted as they are in their trade, confined as they are in their exports, obliged to purchase these very necessaries at the British Market, that they should now be told they shall not have them without paying a duty for them.

[P. 24.] The act suspending the legislative power of New York they consider as still more alarming to the Colonies, tho' it has that single Province in view. If the Parliament can compel them to furnish a single article to the troops sent over, they may, by the same rule, oblige them to furnish cloaths, arms

and every other necessary, even the pay of the officers and soldiers, a doctrine replete with every mischief, and utterly subversive of all that's dear and valuable: For what advantage can the people of the Colonies derive from their right of choosing their own representatives, if those representatives when chosen, not permitted to exercise their own judgments, were under a necessity (on pain of being deprived of their legislative authority) of inforcing the mandates of a British Parliament.

This, sir, is a sketch of their sentiments, as they are expressed in a Petition to his Majesty, a Memorial to the Right Honourable the Lords Spiritual and temporal in Parliament assembled, and in a Remonstrance to the Knights, Citizens and Burgesses of Great Britain in Parliament assembled. In all these proceedings the Council of this Colony have concurred, and have directed their agent, James Abercrombie Esq. to join Edward Montague Esq. the agent for this Colony in applying for redress of the grievances they so justly complain of. Copies were delivered to the President, who is desired to transmit them to the Secretary of State, appointed by his Majesty to manage the affairs of North America, and Mr. Montague is enjoined to consult the agents of the other colonies, and to co-operate with them in every measure that shall be thought necessary on this delicate point.

This House hope they have expressed themselves on this occasion with a firmness that becomes freemen pleading for fundamental rights, and with a decency that will exempt them from any imputations of faction or disloyalty. They have made known their proceedings on this subject, with a view that the Representatives of your Province being acquainted with them, may go hand in hand in their opposition to measures, which they think have an immediate tendency to inslave them; and are persuaded that the candour of your respectable House will consider it in no other light. They are not without hopes that by a hearty union of the Colonies the Constitution may be again established on its genuine principles; an end equally to be desired both by the mother country and her Colonies.

In the name and by order of the
House of Burgesses; I am with the
greatest respect, your most obedient
humble servant.

PEYTON RANDOLPH, Speaker.

[P. 25.] *The Answer to the foregoing Letter.*

SR.

The very acceptable Letter from the Honorable House of Burgesses of the Colony of Virginia to the General Assembly of the Province of New Hampshire came safe to hand and has been communicated to this House, who gladly Embrace the opportunity of Declaring their intire concurrence with those sentiments of Liberty Expressed in your letter; Expressed with that firmness which becomes free-born Englishmen, yet tempered with unexceptionable Loyalty and Subjection to Parliamentary Authority in every thing agreeable to the fundamental maxims of the British Government. It affords high satisfaction to this House that they entertain the same views of the late grievous Acts of Parliament with the Rest of their American brethren, and which your honorable House have in a friendly manner communicated.

They have the pleasure to assure you that they have already endeavored to Represent in a proper light these unconstitutional infringements upon the Liberty and property of his Majesty's faithfull subjects in America, in a humble Petition to the king, imploring his Paternal interposition for their Relief. Their allegiance remains unshaken by all the violences which have been lately offered to the Constitution, nor do they indulge the most secret wish to see these Colonies independent on the Parent Country: But on the contrary feel the deepest concern at every unhappy incident that may have a tendancy to interrupt that perfect harmony, and weaken that natural connection which are the strength safety and wealth of the whole Empire.

They are very sensible that the duties imposed by the late Acts of Parliament, on some of the most necessary Articles of Commerce, for the sole and Express purpose of Raising a Revenue, are equivalent to the most direct internal taxation, and that in this Respect a Power is claimed and Exercised by the Legislative Authority of Great Brittain to take what sums of money they please from the Colonies, without any grants made by the people, who are not and cannot be Represented in the British Parliament, and they are fully persuaded that these last acts are in their nature and effects very little Different from the former oppressive Stamp Act, but equally tend to the Destruction of Liberty & commerce.

They moreover consider every exertion of Power to inforce these unconstitutional Acts as Dangerous to the peace and wellfare both of Great Brittain and the Colonies; Especially any attempts to Deprive the Representatives of the People in America, in their respective Assemblies of the full freedom of [p. 26.] voting in affairs which properly belong to this branch of authority by sending peremptory mandates armed with the terrors of a suspension or Dissolution of their Legislative power, if they refuse to comply.

Their Anxiety and Distress are increased in a very high degree by the appearance of warlike preparations making at this time by Great Brittain, not so much against a common Enemy as to intimdate her own children and force them into submission to those very Burdens of which they are complaining. They are struck with horror at the very idea of Civil wars in America, and earnestly hope never to be put to the dreadful alternative either to take the sword or submit to give up all English Liberties.

This House will always consider it as their Duty, Honour and highest Ambition to manifest the most sincere Loyalty and Affection to their Sovereign, to do their utmost to maintain lawfull authority, and to show equal Zeal with any of their Brethren on this Continent for the prosperity of the nation and the preservation of those liberties and priviledges which are the impregnable Bullwarks of the British Government. And they are Determinined to use their best Endeavors to prevent all tumults and whatsoever tends to open Rebellion and anarchy while they heartily unite in pursuing such sober Constitutional measures as may most Effectually procure the Removal of all Causes of Complaint, fix our liberties on a firm basis, cement the Colonies to Great Brittain with all the strength of mutual Interest, affection and confidence, and open the obstructed Channels of National Commerce.

I am, S^{r}, your most Obedient Hum^{bl} Serv^{t}

P. GILMAN, Speak^{r}.

[p. 27.] *Second Letter from Virginia.*

Virginia, 19th May 1769.

SR.

The House of Burgesses met on the 8th Instant, on the 16th they took into their serious consideration the State of this Colony, and in the course of their Deliberation being alarmed at the Distress in which all America is likely to be involved, came to several necessary Resolutions, Copies of which they have given me Particular Directions to transmit without Delay to the Speaker of the several Houses of Assembly on this Continent and to Request their Concurrence therein.

In obedience of their Order, I now, Sir, Inclose you a Copy of those Resolutions and am persuaded the importance of the subject will be sufficient to engage the immediate attention of your Respectable House, and the Circumstances of America evince the propriety of their Conduct.

His Excellency the Governor tho't fit on the 17th to Dissolve the Assembly. However discouraging this Reprehension may be, yet we hope that our loyalty and affection to his majesty, our Regard to the true Interest of our Mother Country and our Inclinations to terminate this unhappy Dispute will be made

manifest and will in the end dispose our Gracious Sovereign to interpose in our favor and to procure for his injured people the Redress that they most Humbly ask for.

I am with the Greatest Respect
Your most Obedient Serv^{t}

PEYTON RANDOLPH.

Speaker of the House of Assembly
of New Hampshire.

Resolves of the House of Burgesses of Virginia.

Tuesday the 16th of May, 9th Geo. III: 1769.

Mr. Blair Reported from the Committee of the whole House to whom it was Referred to consider of the present State of the Colony, that they had come to several Resolutions which he read in his place and afterwards Deliver'd in at the Clerk's table where the Same were Read as follows, viz.

Resolved, That it is the opinion of this Committee that the whole Right of imposing Taxes on the inhabitants of this his Majestys Colony and Dominion of Virginia is now and ever hath been legally and Constitutionally vested in the House of Burgesses Lawfully Convened according to the Ancient and Established Practice with the consent of the Councill and of his Majesty the King of Great Brittain or his Governor for the time being.

[P. 28.] Resolved, That it is the opinion of this Committee, That it is the undoubted privilege of the Inhabitants of this Colony to Petition their Sovereign for Redress of Grievances; and that it is lawfull and expedient to procure the concurrence of his Majestys other Colonies in dutifull Addresses praying the Royal interposition in favour of the violated Rights of America.

Resolved, That it is the opinion of this Committee, That all Tryals for Treason, Misprision of Treason, or for any Felony or Crime whatsoever committed and done in this his Majestys said Colony and Dominion by any person or persons Residing therein ought of Right to be had and conducted in and before his Majestys Courts held within the said Colony according to the fixed and known course of Proceeding; and that the seizing any person or persons Residing in this Colony suspected of any Crime whatsoever committed therein and sending such person or persons to places beyond the Sea to be tried is highly Derogatory of the Rights of Brittish subjects, as thereby the inestimable priviledge of being tryed by a Jury from the Vicinage as well as the liberty of summoning and producing Witnesses on such tryal will be taken away from the party accused.

Resolved, that it is the opinion of this Committee that an Humble Dutyfull and Loyal Address be presented to his Majesty to assure him of our Inviolable Attachment to his Sacred Person and Government, and to beseech his Royal interposition as the father of all his People however Remote from the seat of his Empire to quiet the minds of his Loyal subjects of this Colony and to avert from them those Dangers and miseries which will ensue from the seizing and carrying beyond Sea any persons Residing in America suspected of any crime whatsoever to be tryed in any other manner than by the ancient and long established course of Proceeding.

The said Resolutions being severally Read a second Time.

Resolved, Nemine Contradicente,

That the House Doth agree with the Committee in the said Resolutions.

Ordered that the Speaker of this House do transmit without Delay to the Speaker of the several Houses of Assembly on this Continent a Copy of the Resolutions now agreed to by this House, Requesting their concurrence therein.

A true Copy Extracted from the Journals of the House of Burgesses.

G. WYTHE, C. H.B.

[P. 29.] *Answer to the Second Virginia Letter.*

Portsmouth, New Hampshire, Apl 11th, 1770.

Sir —

I Received your Letter of the 19th of May 1769 with the Resolves of your Honorable House of Burgesses, and laid the same before the Assembly of the Province at their next Session in January last. They gratefully acknowledge the favour of having your sentiments on the Rights of his Majesty's subjects communicated to them, which are so similar to our own, for which I am Directed to Return your House of Burgesses the thanks of this Assembly.

We Rejoice to see the unanimity in Sentiments in the Colonies in those important Points.

We have sent sum further Instructions to our Agent this Session on those Interesting Affairs: Altho' we are in Daily hopes of Hearing our Gracious Sovereign has caused those matters of Grievance to be Removed.

I also inclose you a Duplicate of our Answer to your letter of the 9 May 1768, and am

Honourable Sir, your most Respectfull and obedient servant

By order of the Assembly,
of New Hampshire

P. Gilman, Speaker.

Payton Randolph, Esqr.

Directed to the Honble the Speaker of the Honourable House of Burgesses of the Colony of Virginia.

Maryland Letter.

Maryland, Febv 26th, 1770.

Sr.

A copy of the Resolutions of the House of Burgesses of the Colony of Virginia entered into the 16th of May last being sent to me by the Honourable Speaker was laid before the House of Delegates of this Province at their Session in November last, who upon consideration thereof were of opinion they could not more clearly evince their approbation of the conduct of the [P. 30.] very Respectable House of Burgesses of his Majesty's Ancient Colony of Virginia on so alarming an occasion than by Readily and Unanimously entering into Resolutions of a Similar nature, a copy of which in obedience to their order I now transmitt you, as I do to the Speakers of all the other Houses of Assembly on the Continent.

And am with the greatest Respect

Sr. your most obedient Servant,

Robert Floyd, Speaker.

Directed

To the Houble the Speaker of the House of Representatives of the Province of New Hampshire.

Maryland Resolves.

By the Lower House of Assembly of the Province of Maryland, November Session 1769.

Resolved Unanimously, That the Representatives of the freemen of this Province in their Legislative capacity with the Assent of the other part of the Legislature have the sole Right to lay taxes and impositions on the Inhabitants of this Province or their property and effects, And that the laying,

imposing, levying or Collecting any tax on or from the Inhabitants of Maryland under colour of any other authority is unconstitutional and a Direct violation of the Rights of the freemen of this Province.

Resolved Unanimously, That it is the undoubted Privilege of the Inhabitants of this Province to Petition their Sovereign for Redress of Grievances, And that it is Lawfull and Expedient to procure the concurrence of his Majestys other Colonies in Dutiful Addresses praying the Royal interposition in favour of the violated Rights of America.

Resolved Unanimously, That all Tryals for Treason, Misprision of Treason or any felony or Crime whatsoever committed or done in this Province ought of Right to be had and conducted in and before the Courts of Law held within this Province according to the fixed and known Course of Proceeding; And that the seizing any person or persons suspected of any crime whatsoever committed in this Province and sending such person or persons to [p. 31.] places beyond the Sea to be tryed is highly derogatory of the Rights of Brittish Subjects as thereby the Inestimable Privilege of being tryed by a Jury from the vicinage as well as the liberty of Summoning and Producing witnesses on such tryal will be taken away from the Party accused.

Answer to the Maryland Letter.

Portsmouth in New Hampshire, April 11th, 1770.

Sr—

I have Received your Letter of the 26th Feby with the Resolves of your Lower House of Assembly, which I have laid before the Assembly of this Province at their next meeting after the Reccipt of yours. They gratefully acknowledge the favour shown them in communicating your sentiments on the Rights of his Majestys American subjects in this critical conjuncture of affairs: And I am Directed to Return your Assembly the thanks of this House. Your Resolves are approved here, and we Rejoice to see the Union and Resolution of the Colonies to support and Defend their Liberties, and we heartily joyn with you by all proper ways and means to endeavor to maintain the freedom to which his Majestys Subjects in America as well as in Great Brittain have a just Right.

I am, Sir, your most Humble and most obedient Servant.

By order of the House
of Representatives.

P. Gilman, Speaker.

The House adjourned to Monday next ten o'clock in the forenoon.

[p. 32.] Monday, April 16th 1770, p. m.

Voted, That Samuel Hobart be Clerk pro tempore.

Voted, That John Sherburne and Jacob Sheafe Esqrs be a Committee to joyn with such as may be appointed by the Honble Councill to Receive Guns and any other stores belonging to the Province, of the late expedition that are in the hands of the late Committee of war or any of them and sell the same at Publick Vendue as soon as may be and put the money arising thereby into the Treasury to be disposed of as the Genl Assmy may order. Sent up by Majr Wright. [Concurred, & Honble Daniel Warner & Danl Rogers Esqrs added.]

The Dep^{y} Sec^{y} Brot Down the following written message from his Excellency, viz.

[P. 33.] *Mr. Speaker and Gentlemen of the General Assembly —*

As the General Assembly hath not been one hour delay'd by me since my arrival in the Province and the immense Expence of Long Sessions been much Regretted, I therefore have examined the various matters Prepared for the Chair this last week which are indeed by far the greater part of the whole: Notwithstanding the severe and Painfull Indisposition which still continues to afflict me and and puts it out of my Power at this time to convey all those Remarks which Result from the Publick business Done & left undone in this Sessions, I Return you my thanks for the Provision made for the support of his Majestys Government the ensuing year. The Supply Bill granted shall be faithfully apply'd. It is with the Greatest Pleasure that I congratulate you that no man can justly say the taxes are heavy, for the whole Does not Exceed 3s 8^{d} Proc^{a} money to each Rateable in the Province. Perhaps if exactly known and taken not 3-6^{d}; an instance I believe heretofore unexampled in any Province or Country whatever. Many towns in our Neighbouring Provinces Raise Double and some much more; hence we surely have great Reason to Rejoice.

In examining the Votes of allowances I find Notable Sums granted for Escapes from the Province Goal, had one fifth part of these sums been timely granted to Repair and Secure the Prison the Remainder would have been Reputably and Generously saved to your Constituents. I cannot well Enter into a Particular Disquisition upon the other votes of this sort only thus far in general to observe that it is my opinion that the time spent in the Defalcations & grindings off from them will for every penny thus saved cost the Province at least a Pound in the time of the General Court actually paid out of the Treasury.

As to my acco^{t} of Expences on a Journey to Boston upon a tryal of Piracy the small Pareing you have voted is the object of my Pity, because the service was truely solely and most importantly Provincial. It was Discharged with due Regard to the Honour of the Province, and the whole sum uprightly expended in it; however if any one honest taxable in the Province is comforted in the one penny thus saved to him out of the money from my Pocket [P. 34.] I do Rejoice at the vote, am Ready to present and add the sum granted and heartily wish the whole Expence annually paid by the Province for travelling was so usefully disposed of.

Thus Gentlemen I find my Salary for the year 1769 Reduced to six hundred and fifty Pounds at a time when I appeal to every member of your House for your opinion that the Salary granted me hath never come near to the support of my mere Family expences in any year since I've been in the Province, and this year hath Rendered it prudent for me to Retire to my own Estate in the Country to make your grant more adequate to my support, being ever Desirous Rather to suffer in my Private fortune than have an adequate Publick income from any other than the voluntary Justice and generosity of the People of the Province whose individual manliness of Spirit I know and Honour. In this vote fifty Pounds is somehow stoped: In the next vote I find full four times the sum yielded unasked, and I believe unexpected being the Interest of more than five hundred Pounds Sterling in cash Received by two gentlemen, and had at least five years without voteing it should be asked of them, which had it been there can be no doubt from the fair Reputation and Integrity of those two gentlemen would have Readily been accompted for, as it was most undoubtedly Due, but is now become exactly one tenth part of the Province tax for this year and your Constituents will Pay it.

My painfull Indisposition is too great to allow of my Proceeding through the whole I intended. I have consented to such acts and votes as appear to me for the Publick service.

I have now only to thank both Houses for the moderation and good Dis-

position with which the business of the Session has been conducted and to wish the same Harmony and unanimity that has hitherto Distinguished this Province may ever continue to be the source of their Honour and Prosperity: and as nothing further appears likely at this time to be transacted for the Publick good I have tho't it best for his Majesty's service to Prorogue the General Assembly of this Province to Tuesday the 19th June next and this General Court is accordingly Prorogued to said Day.(*a*)

J'WENTWORTH.

New Hampshire
Councill Chamber 16th April 1770.

(*a*) [Votes. accts, petitions &c. passed by the House and concurred by the Council from March 20th to April 16th, 1770.]

Jour. C. & Assm. Petition of Noah Rawlins, to redeem certain land. Leave to bring in a bill.

Petition of Patrick Bonner, for support. The town of Litchfield ordered to make provision for the same.

Petition of Inhabitants of Hillsborough to oblige the Proprietors of Society's lands to maintain a road, — hearing granted & Com. appointed.

Petition of Richard Jenness, 3d, as agent from the town of Deerfield for a tax of two pence per acre on land, for building a meeting house — hearing granted.

Acct. of Daniel and Robert Fowle for printing, allowed £4: 11.

Acct. of Wm. Appleton for books for Records, allowed £13: 12.

Muster roll of Capt. Thos. Bell, of soldiers in fort Wm. & Mary, allowed £165: 10: 9.

Acct. of Thos. Bell, for graving the Governor's barge, allowed £1: 3: 3 1-2.

Bill of cost for the tryal of Maurice Cavenaugh charged with the murder of George Henderson, paid £7: 16: 0.

Rev. Dr. Langdon, as chaplain, allowed 50s.

Rev. Mr. Haven, as chaplain, allowed 50s.

Rev. Arthur Brown, as Chaplain of the Council, allowed £5 lawful money.

Thomas Packer, Sheriff, allowed £25, Ll my, for services.

Acct. of Richard Jenness, 3d for wood, allowed £7: 4 Ll my.

Acct. of Eleazer Russell for Governor's postage, allowed £20: 8: 10 L. m.

Acct. of Theo. Atkinson, Esq. for books for Secys office, allowed £12: 17: 6.

Acct. of Geo. Jaffrey for sundry articles of printing, allowed £5: 11.

Acct. of John Penhallow for fire-shovel, tongs & bellows for the use of Genl Assem. allowed 11s L. m.

Wm. Parker, Esq. for drawing Acts, &c. allowed £14: 12.

Saml Livermore, Esq. for drawing Acts, allowed £14: 13.

His Excellency gave his consent to sundry accts. and allowances, which the Council had concurred, and also to the following papers, viz.

The Act for granting to his Majesty the sum of two thousand Pounds as a supply for the year 1770.

An Act for continuing the Excise Act, one year from the 24th Sept. 1770.

An Act to preserve the fish in Piscataqua River.

An act to Establish an equitable method of making Rates & Taxes & determining who shall be legal voters in Town affairs.

An Act for the maintenance & supply of the Ministry within this Province.

The vote for accepting the Report of the Commtee appointed to settle the Treasurer's Acctˢ.

The vote appointing a Comtee to keep his Majesty's Goal in Portsmº in proper repairs.

The vote for enlisting men for Fort William & Mary for 1770.

The vote for a Comtee to farm the Excise.

The General Assembly was by the Governor's Proclamation further Prorogued to the 18th of Sept. and by Another Proclamation to yᵉ 13th of Novʳ and adjourned to Tuesday the 11th Decembʳ.

Proclamation by the Governor.

[Copied from MS. Corr., Vol. III, p. 309.]

Province of New Hampʳ } By his Excellency John Wentworth Esquire, Captain General, Governor and Commander in Chief, in and over his Majesty's Province of New Hampshire, and Vice Admiral of the same.

The following Proclamation having been transmitted to me by Commodore Gambier, I have thought fit by and with the advice of his Majesty's Council to cause the same to be published, hereby requiring all Magistrates and others within this Province, whom it may concern to use their utmost endeavors to cause that the Tenor thereof be complied with for his Majesty's service.

Given at the Council Chamber at Portsmouth, the thirteenth day of December in the Eleventh year of his Majesty's Reign, Annoque Domini 1770.

By his Excellency's Command,
with Advice of Council.

Proclamation.

[Copied from MS. Corr. Vol. III, p. 307.]

By James Gambier Esqʳ Commander in Chief of his Majesty's Ships and Vessels employed or to be employed in the River St. Lawrence and along the Coast of Nova Scotia, the Islands of St. John and Cape Breton, and thence to Cape Florida and the Bahama Islands.

It having been represented to me that several Seamen and Marines who have since the first of October last deserted from his Majesty's ships on this Station, are now lurking in different parts of this and the neighbouring Provinces, thoroughly sensible of their fault, but deterr'd from returning to their duty through fear of punishment: I do, in consideration thereof hereby promise his Majesty's most gracious Pardon to all such who shall before the first of February next, return to the King's ships to which they belong, or repair on Board any of his Majesty's ships at the different Ports in North America, with desire of returning to the King's service. And as a further inducement for them to return to their duty they shall be entitled to the wages that was due to them from the several ships at the time they deserted. But if any of those Seamen or Marines shall neglect to avail themselves of this Act of indulgence, they can have no reason to expect favor and may depend upon being punished according to martial Law whenever they shall be apprehended.

And it being extremely to be wished that his Majesty's Ships could be kept compleat in their Complements of Seamen by any other expedient than the very disagreeable necessity of distressing the Trade of the Colonies by press-

ing any of the Seamen in the service of the Merchants, it is to be hoped, and is earnestly requested that all Merchants and Masters of trading ships and vessels will not only refrain hiring the King's Seamen into their service, but also by every means in their power discountenance desertion.

And in order to encourage the apprehending Deserters and Stragglers from the Squadron under my command, I do hereby promise a reward of forty shillings sterling to any Person or Persons who shall apprehend a Deserter, and twenty shillings for every Straggler, to be paid immediately by the Captain or Commander of the King's Ship to whom such Deserters or Stragglers shall be delivered. And if any Person or Persons shall inform an officer of any of his Majesty's ships where a Deserter or Straggler may be apprehended; if such Deserter or Straggler be taken in consequence thereof, the Person or Persons who gave the information shall receive the above mentioned reward.

Given under my hand on board his Majesty's Ship Salisbury in Boston Harbor the 10th day of December, 1770.

J. GAMBIER.

By Comand of the Comodore
Chas Lyell.

[P. 35.] Tuesday Decr 11th 1770.

Met according to adjournmt. The Secy by his Excellency's Direction adjourned the Genl Assm. till Thursday next ten o'clock A. M.

Thursday Decr. 13, 1770, A. M.

A message was sent by Capt. Bell & Mr. Baker to inform his Excellency that there is a Quorum of the members met.

The Depy Secy Bro't Down the following written message from his Excy the Governor, viz.

Gentlemen of the Council & of the Assembly —

I meet the Genl Assm with increased Pleasure as it affords me an opportunity of congratulating them on the General Prosperity of this Province. To enact such new Laws, to Revive and Prolong those that are Expired and near expiring which may promote & Establish these benefits, I recommend and trust will do honour to this Sessions of the General Assembly.

It is again my Duty to move that some effectual measures be adopted for making Roads through the Province; this is not only necessary but Essential to the Publick good. The encouragement of Learning has ever been the care of wise Legislators in all ages. The present day calls upon this Assembly to prove that the People of this Province are also the friends and Patrons of Literature by making some grant for the support of Dartmouth College at Hanover in this Province, whose Infant Institution Requires aid. This is the cause of Education and of Religion; it is therefore your Peculiar care.

The Limitation of the Act for totally calling in the Paper currency having taken place before the proposed End could be effected I particularly Recommend your earliest consideration to effect so salutary and just a purpose.

[P. 40.] (1) It also appears that the Laws for collecting the Excise are not fully sufficient whereby the fair Trader alone pays that Duty and others evade it to the great injury of the Province.

(1) This paging is evidently erroneous, but I follow the copy.—ED.

I cannot omit Recommending that some Provision be made for Repairs of the Castle William & Mary and to enlarge the Garrison without which the total insecurity of the Principal Part of the Province must be alarming on every report of a war, which event should not happen to a Prudent People unpreparadly.

In all things for the welfare safety and honour of the Province, I shall rejoice to concur; and to Reciprocate with both Houses of Assembly in every cultivation of unanimity and Diligence.

J'WENTWORTH.

Council Chamber 13th Decr 1770.

Thursday, Decr 13th 1770, P. M.

Voted William Parker John Sherburne & Meschech Weare Esqrs be a Comtee to Prepare an answer to the Govrs message of this Day and lay it before the House as soon as may be.

[P. 41.] Voted That William Parker, John Sherburne Christo Toppan Esqrs and Capt. John Giddinge be a Comtee to Prepare a Scheme for putting a final Period to the outstanding Paper Bills and lay the same before the House as soon as may be.

Mr. Warren bro't into the House the accompt Sales of the Excise, and Treasurer's Receipt for yc Bond, & Chairman's Report — copys whereof follow, viz.

Accompt Sales of the Province Excise as the same may be sold by Publick Vendue by order of the Comtee of the Genl Court at the house of James Stoodly Esqr in Portsmouth on the third Day of May 1770.

Sold the Second Division to John Hurd, Esqr	£70: 0: 0:	L. M.
Do. the third Division to Saml Blodgett, Esqr.	100: 0: 0:	"
Do. the First Division to Saml Blodgett, Esqr.	460: 0: 0:	"
	£630.	

Sold in the Presence of the Comtee
and a Number of Good Bidders.

John Wendall, Vendue Master.

Received of the Honbl Jonathan Warner, Esq. from the Comtee for selling the Excise from Sepr 1769 to Sepr 1770, Saml Blodgett Esq & Co. Bond condition'd to pay for said Excise the sum six hundred and thirty Pounds Lawl money.

Portsmo Augt 24th 1770.

Pr Geo. Jaffrey, Treasr.

Province of New Hampr, Portsmo May 23d, 1770.

Agreeable to vote of Genl Assm Jany 24, 1770 appointing a Comtee for farming out the Excise We met at Saml Stoodly, Esqrs May 3d 1770 and sold the same in three Divisions to Saml Blodgett, Esqr for six hundred and thirty Pounds Lawl money for which we have taken his Bond for that sume and have Deliver'd the same to the Honbl George Jaffrey Esqr Treasurer and taken his Rect.

Jona. Warner, Chairman of Comtee.

[P. 43.] Saturday Dec^r 15^th, 1770.

The Com^tee for Preparing an ans^r to his Excy^s Speech laid the following Draft of an ans^r before the House, viz.

May it please your Excellency —

The House of Representatives most gratefully acknowledge the Propriety of the several matters recommended to their Attention in your speech at the opening of the present Sessions of the Gen^l Assembly; which exhibits a vigilant and tender Regard to the General welfare of the Province, the Prosperity of which, as it is the Grand object of their wish will always give them the greatest complacency.

The care of the Laws your Excellency justly recommends to the consideration of the House in the first place, as claiming a particular Regard, & which the House esteems to be their Honor as well as Duty.

The House concur in sentiments with your Excellency that the making good Roads through the Province is an object of great Importance to the public Emolument, the effecting of which, they are desirous may be accomplished by the most equitable means.

The great scarcity of money in the Province, the Ballance of the Trade of the Province being generally against the Trader, and the great difficulty of discharging the Debts which must necessarily arise in carrying into Execution several of the articles recommended, will oblige the House to such gradual and slow measures as may carry the appearance of neglect; yet as far as they apprehend the Abilities of their constituents can reasonably extend they will attentively regard the admonition.

The House with pleasure observe your Excellency's sentiments respecting [P. 44.] the Encouragement and Importance of Learning, and the just Regard that all wise governments have always discovered for the cultivation of Literature, and look upon the Establishment of Dartmouth College in this Province (on a Plan so Catholic and generous as they have been informed, having no knowledge of it in any other way) a pregnant proof of your Excellency's great esteem of Science, and your paternal Regard for the future Prosperity of this Province. The House will accordingly consider what Encouragement they may (consistent with their fidelity and Regard to the circumstances of those they Represent) give to this Infant Institution, when they shall be duly informed of the Constitution it is under.

Whatever is further recommended to the consideration of the House by your Excellency they promise a proper attention to, and shall congratulate themselves upon being mutually serviceable to the public Welfare.

Voted That the foregoing answer to his Excellency's Speech of the 13^th Instant be presented to him.

Sent to his Excellency by Col^o Goffe & Maj^r Hobart.

Monday, Dec^r 17^th 1770, P. M.

Voted That Jacob Sheafe, John Sherburne & Sam^l Hobart, Esq^rs be a Com^tee of this House to joyn with such as shall be appointed by the Hon^ble his Majesty's Councill, to count the Bills of Credit of this Province which are now in the Treasury to be burnt, and to lock up the same in the Province Strong Box, and make Report to the Gen^l Assembly as soon as may be. Sent up by Maj^r Wright. [Concurred, and Hon. Theo. Atkinson, Jona. Warner, & Daniel Rindge, Esq^rs, added.]

[P. 45.] Tuesday Dec^r 18^th 1770.

An act to authorize the Treasurer of this Province to Borrow money for the use of the Province to redeem the bills of this Province which yet remain in the Possession of Private Persons, and to apply the same accordingly, and to give Notes of hand as Treasurer in behalf of the Province to secure the repayment of the money which shall be so Borrowed, and also to authorize the Treasurer to give his Notes as therein Directed for Redeeming any of said Bills which the Sum that shall be so Borrowed will not be sufficient to Redeem.

Having been three times Read Voted That it Pass to be Enacted. Sent up by Mr. Burley.

[P. 46.] Wednesday Dec^r 19^th 1770.

Voted That John Sherburne Esq^r & Mr. Jacob Sheafe be a Com^tee of this House to joyn with such as shall be appointed by the Hon^ble Councill to farm out the Excise on Spirituous liquors to a Receiver or Receivers as they shall judge best, to be commissioned by the Governor to make a faithful collection of the same, and that the money arising thereby be put into the Province Treasury to be apply'd to the use of the Government as the Governor, Councill and Assembly shall order,— this selling of farming shall be for one year only commencing the first Tuesday in Sept^r 1770, and that the Receiver or Receivers to whom the Same shall be farmed or Lett Shall give sufficient security to the Treasurer for the time being as the Com^tee shall direct. Sent up by Capt. Giddinge. [Concurred, and Hon^ble Jona. Warner & Daniel Rindge Esq^rs added.]

[P. 47.] Fryday Dec^r 21, 1770.

Whereas sundry Laws of this Province, viz. An act to promote the increase of sheep, An Act to Enable the Court of Gen^l Sessions of the Peace to grant as many Tavern keepers in each Town Parish or Precinct within this Province as they shall judge convenient, An act to enable the Inhabitants of such Towns in this Province as have not had a Regular method to call Town meetings or at present have no such method to call them hereafter as the Law Directs, An act in addition to several Laws of the Province Relating to Proprietors directing how Proprietary meetings [P. 48.] of the owners of Lands and other Real Estate lying and held in common and undivided may be called and their common and Publick Affairs transacted, An act in addition to the Laws of this Province for regulating the management of swine, An act to Regulate the Price and assise of Bread, An Act for preventing & suppressing Riots, Routs & unlawful Assemblies,— all which

were made temporary & are now Expired, having been found usefull, therefore

Voted, That an Act be prepared and passed for reviving the said several Acts for the term of five years from the time of passing the Act of Revival, and that the act entituled an Act more effectually to prevent profane cursing and swearing be revived and made perpetual. Sent up by Capt. Carlton, Dec. 22d.

[p. 49.] Saturday Decr 22d, 1770.

The Petition of Samuel Livermore & Moses Little Esqs. a Comtee on behalf of ye Proprietors of Plymouth Praying that a Comtee may be appointed to settle a Bound which Relates to sundry Places & is in Dispute,

Voted That the Petitioners be heard on this Petition on the fourth Day of the siting of the Genl Assm after the first Day of March next and that they cause the substance of the Petition and order of Court to be published in the New Hampshire Gazett six weeks that any Person may shew cause why the prayer of the Petitioners should not be granted. Sent up by Mr. Toppan.(a)

(a) Jour. C. & Assm Dec. 22d 1770. Mr. Toppan bro't up from the House the Petition of Samuel Livermore Esqr and Moses Little, a Committee of the Proprietors of Plymouth, Praying that a Committee may be appointed to settle the Bounds of said Plymouth, Campton, Rumney and Cockermouth,(1) with a vote of the house thereon grantg a hearing. Read & concurred.

[p. 50.] Monday, Decr 24, 1770.

The Depy Secy Brot Down the following Message from his Excellency, viz.

Mr. Speaker and Gentlemen of the Assembly —

Capt. Holland the Surveyor General of the Sea Cost of the Northern District of America, having made an offer of his Readiness to survey as much of the Province as can be done before the Season Permitts his surveying on the Sea Cost; I cannot Omitt Recommending that the Honble House of Assembly make the Provision Proposed in his letter herewith communicated, to avail the Province of so useful and important a service. It is not Probable the Province will ever again have such an opportunity as now Results from Capt. Holland's Respectable offer of his services at an Expense too inconsiderable to compare with the great & lasting advantages to ye Publick which it comprehends.(2)

Mr. Fisher is Dissatisfied with the Rent granted to him for the House that is appropriated for my Dwelling which is not quite half the Lawl Interest of

(1) Now Groton.—Ed.

(2) A map of Holland's Survey of the Province of New Hampshire, is now in the Library of the N. H. Hist. Society. It was published in London, 1784. To those who are curious about the locality of the *Kaersarge* mountain, and the origin of the name, it may be men-

the money it cost. The Hon^bl House of Assembly will take this letter into consideration and also of some means to Render this or some other house more convenient & Equal for my residence.

J^WENTWORTH.

New Hamp^r Councill Chamber
24^th Dec^r 1770.

The Dep^y Sec^y came into the House and by his Excellency's Direction adjourned the Gen^l Assembly to Wednesday next ten o'clock, A. M.

[P. 51.] Wednesday Dec^r 26^th, 1770.

Whereas in and by an Act of this Province passed in the Present year of his Majesty's Reign the Treasurer is authorized and Impowered to Borrow money to Redeem and Sink all the Paper Bills of Credit of this Province now outstanding, and whereas it would greatly ease the Inhabitants of this Province to Receive some part of their present taxes in such Bills.

Therefore Voted and Resolved That the Treasurer be Directed to Receive such Bills in payment of any of the Province taxes now Outstanding and that he may apply so much of the money Borrowed towards payment of the Publick Debts as he shall Receive of such Bills by way of taxes. Sent up by Doc^r Bartlett. [Concurred.]

The House taking under consideration his Excellency's message of the 24^th Inst.

Voted That John Sherburne & Sam^l Livermore Esq^rs be a Com^tee to wait on his Excellency to get some further Information what is proposed to be Done in the Survey of the Province Recommended by his Message.

[P. 52.] Thursday Dec^r 27^th, 1770, P. M.

Voted Mess^rs Jacob Sheafe, John Giddinge and Samuel Livermore of this House to Joyn with such as y^e Hon^bl Councill shall appoint, to purchase a stove for the use of the Courts of Justice and to place the same in the Room wherein said Courts are commonly held and to make such alteration in the seats &c. of said Room as the Placeing said Stove may Require, and that said Com^tee Draw such sum of money out of the Treasury as may be necessary for the purpose aforesaid not exceeding fifteen Pounds. Sent up by Capt. Merrill. [Concurred, and Hon^bl Col. Warner added.]

tioned that it is laid down on the Map exactly as now, lying west of the town of Salisbury and partly in Andover, Sutton, Wilmot, and is thus designated: "Kyar Sarga, Mt., by the Indians Cowissewaschook." This would seem to determine that Kaersarge is not the Indian name, as Col. C. E. Potter and others have maintained; but the question is still open — whence the origin and what the import of the name? — ED.

[p. 53.] Fryday Dec^{r} 28th 1770.

Voted That John Sherburne, Samuel Livermore, Otis Baker, Christopher Toppan Esq^{rs} and Capt. John Giddinge be a Com^{tee} to consider what Repairs are necessary to be made in the Province House for Preserving and keeping the same Decent, and to Report to the House as soon as may be.

[p. 54.] The Dep^{y} Sec^{y} Bro't from the Board the Petition of Richard Jenness & John McDuffee Esq^{rs} Representing that they with John Hazzen Esq^{r} were a Com^{tee} to lay out and make a Road from Durham through Barrington &c: that they have made said Road in part but apprehend there is some Deficiency in the Act for making and defraying the charge, &c. and praying for some aid.

Saturday Dec^{r} 29, 1770.

The petition of Richard Jenness Esq. & Mr. John McDuffee being considered,

Voted that Samuel Livermore & Christopher Toppan Esq^{rs} & Doctor Thompson be a Com^{tee} with such as the (*a*)

[Three pages are here missing from the "Journal of the House."—Ed.]

(*a*) Jour. C. & Ass^{m} Dec^{r} 29, 1770. A member from the House bro't up the petition of Rich^{d} Jenness and John McDuffee, sent down yesterday, with a vote of the House thereon appointing a Committee to join a Committee of Council to examine the accounts of the petitioners and make report what method may be most equitable for raising the sum due to the Pet^{rs} for laying out the Road from Durham to Cohass. Read and concurred with an amendment, and sent down; previously adding on the part of the Board, the Hon^{ble} Daniel Warner, Dan^{l} Rindge and Daniel Rogers, Esq^{rs}.

(*b*) Col. Goffe bro't up the vote for reviving sundry Laws & vote of concurrence thereon excepting that the Act for Licensing Taverners be not revived.

(*c*) Mr. Baker brought up from the House a vote appointing John Sherburne Esq^{r} and Mr. Jacob Sheaffe a Com^{tee} to join with such as the Council shall appoint to repair the Court house and to agree with some person for one year to take care of it &c. & to draw money out of the Treasury to defray the charge thereof. Read and concurred, and the Hon^{bl} Daniel Pierce, Esq^{r} added.

Tuesday Jan^{y} 1st, 1771.

Note. — The vacancy in the "Journal of the House" continuing — the following Record is from the Jour. of C. & Ass^{m} Jan^{y} 1st 1771.—Ed.

This day was read at the Board & sent down to the House, a Mess^{a} to the House, Recommending a revision and revival of the Laws relating to the Militia of the Province.

Governor's Message, January 1, 1771.

[Copied from MS. Gov^rs Mess^a Vol. III, p. 379.]

Mr. Speaker & Gentlemen of the Assembly —

The present appearances of impending War leaves us no time to loose in making effectual preparations for the Defence & Safety of the Province, particularly in forming the Militia into a powerful & respectable body, which from the number and the natural Bravery & strength of the Men, it is undoubtedly capable of: I therefore strenuously recommend a Revision of the Laws respecting the militia — that they may be drawn together into one plain and precise Act, comprehending and enforcing all that is necessary & useful for the Government & honour of this service — Also to provide that a sufficient number of the Acts may be printed & dispersed to ev'ry Parish enjoyning the respective ministers to read it annually after divine service in their Churches, by w^ch means it will be universally communicated through out the Province, unless any parishes should be found long & still destitute of an established public worship, for such Town (whose remissness in religious duty indicates a diminished prospect of their Exertion for the honor & defence of their King & Country) I doubt not immediate care will be taken by some proper Law, to prevent the evil of reproach of public Irreligion from fixing, and that the Act recommended may be read among them.

The utility of an uniformity in discipline induces me to move the Honorable Assembly, That they wou'd grant a Re-imbursement for printing & dispersing a proper plan of military Exercise, which I shall immediately cause to be published, and practised accordingly.

J'WENTWORTH.

Council Chamber
1^st Jan^y 1771.

Capt. Greeley bro't up from the House a vote appointing Samuel Livermore, Tho^s Westbrook Waldron, Josiah Bartlett, Samuel Hobart & John Goffe Esq^rs a Com^tee to join with such as may be appointed at the Board, to make a revision of the Militia Laws to be drawn together into one plain & precise Act and laid before the General Assembly as soon as may be. Read and concurred and the Hon^ble Daniel Warner & Peter Livius Esq^rs added to the said Com^tee on the part of the Council.

[Journal of the House here resumed.]

[P. 57.] Tuesday Jan^y 1^st 1771, P. M.

The Petition of the Inhabitants of Hillsborough Praying for an Act to oblige the owners of the Land called the Society Land to maintain a way Being considered,

Voted That the Petitioners have liberty to bring in a Bill for the Purpose mentioned in the Petition. Sent up by Col. Goffe. [Read and ordered to lay.]

Thursday, Jan^y 3^d 1771, P. M.

[P. 59.] The Dep^y Sec^y bro't from the Board the Petition of Rich^d Jenness & John Mc Duffie Esq^rs Passed in the House the 29^th of Dec^r last with the following vote of Council on y^e vote of the House, viz.

In Council Jan^{y} 3^{d} 1771. Read & Concurred with this amendment, that the Com^{tee} be empowered to enquire whether the Petitioners have complied with the duty required of them by the Act, & if so what sum is justly due to them, & the Hon^{bl} Jon^{a} Warner, Dan^{l} Rindge & Daniel Rogers Esq^{rs} added on part of the Board. Sent down for concurrence.

Geo. King, Dep^{y} Sec^{y}.

The Dep^{y} Sec^{y} Bro't from the Board the Petition of James Gilmore Praying for an allowance for the Escape of one John Mason out of Prison, through the deficiency of the goal.

[p. 60.] Fryday, Jan^{y} 4th 1771, p. m.

The House took under consideration that part of his Exc^{ys} Speech Relative to opening Roads, and the Question Put Whether any Publick tax should be raised for opening roads. It pass'd in the Negative.

Then the Question was put, Whether the House are willing to Pass any Acts which may be necessary to Enable and oblige Proprietors to open Roads when necessary thro' their Respective Proprieties. It Pass'd in the affirmative.

[p. 61.] That part of the Governors message Relative to the taking a Survey of the Province by Capt. Holland being taken under consideration, The question was put whether the House will act anything on that matter at Present. It Passed in the Negative.

An act to Enable the Inhabitants of such Towns and Parishes in this Province as have not had a Regular Method to call Town meetings or at Present have no such method to Direct and Establish a Rule & Method for that Purpose, having been three times Read,

Voted That it Pass to be Enacted. Sent up by the Clerk. [Concurred and passed.]

Copy of said Act.

Anno Regni Regis Georgii Tertii Magnæ Britanniæ Franciæ & Hiberniæ [L.S.] Undecimo. An act to enable the Inhabitants of such Towns and Parishes in this Province as have not had a regular method to call Town or Parish Meetings, or at present have no such method, to direct and establish a Rule and method for that purpose.

Whereas it sometimes happens that the annual Meetings of Towns and Parishes in the Province have not been duly held, and no regular method is in force to revive and call a Lawful Meeting of the Town or Parish, and also in Cases where a Town or Parish have never had a legal Meeting, it may be of Service to prescribe a Rule for that and the Cases aforesaid,

Be it enacted by the Governor, Council & Assembly, That in any of the Cases aforesaid on the application of Ten of the Freeholders, Inhabitants of such town or Parish to any of the Justice of the Peace, whether an Inhabitant of such town or Parish or not, made in writing desiring that a Meeting of the Legal Voters of such Town or Parish may be called for the choice of Town or Parish officers (as the Law directs) such Justice shall be and hereby is authorized and Impowered to call a meeting of the Voters of such Town

or Parish, which he shall do by posting up a notification in some publick place in such Town or Parish Fifteen days before the Time of holding such Meeting, which notification shall mention the Time, place and occasion of the designed Meeting, as also that application was made for the same in manner and form aforesaid and such Justice shall attend and govern the said Meeting untill a Moderator shall be chosen to govern the same.

Province of New Hampshire } In the House of Representatives Jan^{ry} 5th 1771. The foregoing Bill having been three times read Voted that it Pass to be Enacted.

P. Gilman Speak^{r}.

In Council January 8th 1771.

The within Bill was read a third Time and passed to be Enacted.

Theodore Atkinson Sec^{ry}.

Consented

J'WENTWORTH.

Recorded according to the Original Act under the Province Seal.
[See "Record of Acts, 1766–1779," in Sec^{ys} office.]

Theodore Atkinson Sect.

The Dep^{y} Sec^{y} Bro't down the vote appointing the Committee to view the Fort Wm. & Mary with the following vote of Council thereon, viz.—

In Council Jan^{y} 8th 1771. The within vote was read and concurred with this addition that the Com^{tee} wait on his Excellency the Governor to request that he will give orders to the Capt. of the Fort for their admission & to expose all things there for their inspection, & the Hon^{bl} Peter Livius, Jonathan Warner, Daniel Rindge, Daniel Peirce, George Jaffrey & Daniel Rogers Esq^{rs} added on part of the Board.

The above vote of Council read and concurr'd.

[P. 64.] Thursday Jan^{y} 10, 1771.

Voted That the Committee appointed the present Session to examine the accompts of Richard Jenness Esq^{r} & John McDuffie respecting making Roads be a committee to examine the accompts of the Selectmen of Rochester for making roads in pursuance of an Act of this Province.

[P. 65.] Fryday, Jan^{y} 11th 1771.

The Resolve of the House to Enable Sundry Inhabitants of Seabrook to collect taxes &c. Pass'd 24th Decemb^{r} being bro't Back for some alteration, the following Resolve Pass'd, viz.

Whereas Ebenezer Knowlton, Richard Smith, Elisha Brown & Jonathan Weare have Petitioned the Gen^{l} Ass^{m} seting forth that they have given their security to several persons for sundry sums of money Due from the late Presbeterian Society of Hampton

falls now Seabrook amounting to one hundred Pounds Law^{l} money most part of which sum become due from said Society for the support of the Rev^{d} Mr. Pearley before they were invested with Legal Power to collect taxes and Praying that they might be authorized to make a just and equitable assessment on the several Persons concerned in agreeing with said Pearley for said sum and that they might be authorized to collect the same and all Parties being Duly Notified and no Reasonable Objection made and the Petitioners being heard Representing that all Parties are agreed and willing that said tax should be Collected and the Same appearing Reasonable and just,

Therefore voted and Resolved that the said Petitioners be impowered to make an assesment on the several Persons concerned in the aforesaid agreement with Mr. Pearley for the said hundred [p. 66.] Pounds according to the form in which taxes are usually made in proportion to Each persons Estate and to give out a Warrant in the usual form to collect the same, And the Collector for the said Parish of Seabrook for the time being is hereby authorized to collect the same for the said Petitioners to discharge the said Sum. Sent up by Col^{o} Bartlett. [Concurred.]

Saturday Jan^{y} 12th, 1771.

Mr. Livius bro't Down from the Councill the vote appointing a Com^{tee} to view the fort with the following Report of the Com^{tee} thereon viz.

Province of New Hamp^{r} } 12th Jan^{y} 1771.

According to the foregoing appointment we have viewed the fort and find it considerably decay'd & fallen to Ruin: We think it of absolute necessity that the Powder Magazine should be sufficiently secured, that the other Magazine & the Barrack should be Repaired, that the Ramparts should be filled with Earth, and good Platforms made for the guns, That as many Great Guns as can be planted on the walls within the fort should be put into good order, that the wall which is fallen Down should be Repaired, and that a [p. 67.] work should be added for the Defence of the Entrance of the fort, and we judge that a sum not less than two hundred Pounds should be granted for the above Purposes — all which we beg leave humbly to Report.

By order of the Committee

P^{r} Livius, Chairman.

Province of New Hamp^{r} } In Council Eodem Die

The above Report read & ordered to be sent Down and Recommended.

Geo. King, D. Sec^{y}.

[p. 68.] Tuesday, Jan^{y} 15th 1771.

An Act to Regulate the fines set on towns & Selectmen for not keeping Schools, having been three times Read,

Voted That it pass to be Enacted. Sent up by the clerk. [Concurred and passed.]

[p. 69.] Wednesday, Jan^{y} 16th 1771, p. m.

The House took under consideration the Petition of sundry of the Inhabitants of the Town of Dover Relating to the Bridges lately built there and it appearing that there was a Town vote for Building the Lower Bridge it is tho't to be just that the charge thereof should be paid by the whole Town. But it appearing that the upper Bridge is more usefull for the Publick, Therefore Voted That the said upper Bridge shall hereafter be maintained at the charge & Expense of said Town and that the Petitioners have leave to Bring in a Bill accordingly. Sent up by Capt. Greeley. [Concurred.]

Thursday Jan^{y} 17th, 1771.

[p. 71.] Voted That Wm. Parker & Samuel Livermore Esq^{rs} be a Com^{tee} of this House with such as the Hon^{bl} Councill shall appoint to print such plan of Military Exercise for the use of the Militia of this Province as his Excellency the Governor shall think fit to adopt, that they print a number not exceeding five hundred at the publick charge, & that the Com^{tee} deliver to the Colonel of each Regiment that shall appear to receive the same, one of said Books or Pamphlets for each Commission officer in such Reg^{t} at the Prime cost, And the said Com^{tee} be authorized to draw the money out of the Treasury requisite hereunto not exceeding twenty Pounds. Sent up by Mr. Webster. [Concurred, and the Hon^{bl} Col^{o} Warner and Mr. Livius added on the part of the Board.]

Fryday Jan^{y} 18, 1771.

[p. 72.] The Com^{tee} for making Enquiry where and upon what terms a suitable House for the Gov^{r} may be hired Purchased or Built, made the following Report, viz.

The Com^{tee} before mentioned have taken under consideration the Governors Message concerning his House rent &c. & made enquiry as above directed — and we find that the House the Governor now lives in may be purchased for £1700 Sterl^{g}. That the House lately Capt. Adam's may be purchased for £1000 lawful money, And that Capt. Woodbury Langdon's House may be purchased for £2600 Sterl^{g}.

Also that there is a probability a lot of about seven acres of Messrs. Penhallow & Wibird may be purchased, but the particulars we cant yet obtain. By order of the Com^{tee}.

John Sherburne.

Which report being Read, Voted That it ay for consideration in the recess of the Court.

The Report of the Fort Com^tee^ of the 12^th^ Instant being read, Voted That the Report be accepted & that Mr. Speaker with such as the Hon^ble^ Council shall appoint be a Committee to carry the same into Execution under the Inspection of his Exc^y^ y^e^ Capt. General and that they be authorized to Draw money out of the Treasury not Exceeding the sum of two hundred Pounds for that purpose. Sent up by Capt. Worthen. [Concurred.]

P. M.

Province of New Hamp^r^ } In the House of Representatives, January 18, 1771.

Voted That Mr. Speaker, William Parker & John Sherburne Esq^rs^ with such as the Hon^bl^ Councill shall appoint be a Committee to write to the agent for this Province at the Court of Great Britain to solicit the Treasury Board or any other proper [p. 73.] Board for the payment of the money which is due to the Province for the charge Billeting soldiers purchasing provisions warlike stores & medicines & transporting the same to Albany &c. in the year 1756 which was to be defray'd by the Crown — The Province having cloath'd and paid their men according to the Direction & Requisition of his Majesty's Secretary of State and that said Committee also if they think proper should send an Address to his Majesty on the aforesaid subject praying his Royal Favour therein to be presented to his Majesty by the Agent and that the said Committee write to Paul Wentworth Esq^r^ in London desiring the favour of him to assist the Agent in the above said affair. Sent up by Capt. Worthen. [Concurred, and the Hon^bl^ Theodore Atkinson, Daniel Warner & George Jaffrey Esq^rs^ added. (*a*)]

(*a*) [Votes, Acc^ts^, petitions, &c. passed by the House and concurred by the Council from Dec^r^ 11^th^ 1770 to Jan^y^ 19, 1771.]

Jour. C. & Assm. Petition of Ambrose Sloper, aged 89 years, praying relief: hearing granted: — dismissed.

Petition of Dover, Somersworth & Rochester, relative to two bridges — hearing granted.

Petition of Greenwood Carpenter for a divorce from his wife Sarah for adultery — hearing granted.

Petition of Philips White, Abell Brown & Moses French, of South Hampton, for a settlement of a line between South Hampton & Newton — hearing granted.

Petition of Com^tees^ or agents for Barnstead and Chichester to settle boundaries — hearing granted.

John Sherburne allowed £25 law^l^ mon. for use of warehouse in 1755.

Wm. Parker Esq^r^ allowed £14: 12: for his acc^t^.

Sam^l^ Livermore allowed £4: 13: 0: for his acc^t^.

Rich^d^ Jenness Esq. allowed £7: 4: 0: for wood.

Allowed Com^tee^ for repairing goal, £37: 8‹ 11 1-2.

Petition of John Parker, of Litchfield for allowance for hardships &c. dismissed.

Acc^t^ of James Stoodley for selling the Excise, £3: 14: allowed.

Joseph Thomas, allowed £15: for loss by him in collecting Excise.

Peter Bowen, on petition, allowed £15: for loss of an eye, while in service under Majr Rogers.

Petition of Samuel Woodman &c. respecting the settlement of his father's Estate, &c. — hearing granted.

Petition of Eligood Mills, praying that a certain deed may be made void — leave to bring in a bill.

Petition of inhabitants of Rumney, praying relief from sundry oppressions by Daniel Brainard, Esq. hearing granted.

The following Bills &c. passed by the House & Council, received his Excellency's consent, viz.

1. An Act to enable three Justices of the Peace (unus Quorum) to determine all disputes concerning the maintenance of ye poor.
2. An Act to revive and continue in force sundry Laws which were made Temporary & are expired & are particularly mentioned herein.
3. An Act to regulate the Fines set on Towns and Selectmen for not keeping Schools.
4. An Act to ascertain and regulate the penalties set and imposed in an Act of this Province against Trespassing on Town Commons, &c.
5. An Act to ascertain the value of the premiums to be given for the killing of wolves.
6. An Act to Enable the Inhabitants of such Towns and Parishes in this Province as have not had a regular method to call Town or Parish Meetings or at present have no such method to direct & establish a Rule and method for that purpose.
7. An Act to ascertain the Fines to be demanded and taken of Jurors, not attending their duty.
8. An Act to regulate the Fine set on persons chosen to the office of Constable & refusing to serve in said office.
9. An Act in addition to the Law already in force for the regulation of Swine.
10. An Act for reviving an act passed in the 9th year of his present Majesty's Reign Entituled An Act to prevent disorders commonly committed on the Fifth of Novembr and the evening following, &c.
11. An Act for the more speedy recovery of small debts & to save the cost usually attending the recovery thereof in the usual course of the Law & to secure the returns of Executions served on real Estates.(1)

Also, to the several votes of allowance passed this Session.

Also, to the vote for a Committee to repair the Fort.

Also, to the Resolve of both Houses entre'd the 11th Inst. for certain Persons at Seabrook to assess & collect £100 Lawful money, due to Mr. Perley a minister there.

The Depy Secy came into the House and by his Excys Direction adjourned the Genl Assm. till Tuesday the Nineteenth Day of March next.

Attt M. Weare, Clk.

[P. 75.] Tuesday, 19th of March, 1771.

Met according to adjournment, [and adjourned till]

(1) The foregoing Acts may be found recorded in full, in "Record of Acts, 1766–1779," in Secretary's office.—Ed.

Wednesday, March 20th, 1771.

The Depy Secy Bro't from the board the Petition of Abiel Chandler Praying for an allowance for apprehending and bringing to Goal sundry soldiers Deserted from his Majesty's service. Adjourned.

P. M.

The petition of Abiel Chandler Read and ordered to lay for further Enquiry.

Thursday March 21st 1771.

The Depy Secy brought down the following written message from his Excellency the Governor. viz.

Mr. Speaker and Gentlemen of the Assembly —

Those measures I recommended before the Late adjournment being Daily more necessary for the publick's good: I therefore trust thro' your wisdom & attention the Province will not long lament the delay of this accomplishment. They respectively, are Indispensably essential. The Commerce of this Province declines, insomuch that it is complain'd of detrimental to those whose former connections compel them in any degree to continue in it. — Money is not among us in any Proportion to the circulation adequate to our numbers.

Your labouring Inhabitants unemployed & consequently distressed, and your fertile lands lay waste and uncultivated.

These evils will, they must increase until Roads are made Thro' the Province [p. 76.] by which the Produce of the interior Districts can be consum'd or exported by this Government, and their Imports provided in the same Circuit.

The wisdom of every Legislature that cherished Industry, & were desirous of acquiring comfortable subsistance for their Inhabitants has been successfully exerted in this Method, neitlier is there any known Instance from the earliest time to this day wherein such public works have fail'd to be Blessings to the Country in which they were. On this measure, I have been more particular, because thereon depends the very being of our commerce, The support and Encouragement of your People, and every reasonable prospect of acquiring any Currency.

This being the season to consider of & grant the necessary Supplys for the support of his Majesty's Government, I shall direct the remaining accounts relative to that service to be exhibited for your Inspection by the Treasurer.

In your Estimates for the purpose, I must not fail to urge, that the Memorial of Doctr Wheelock in behalf of Dartmouth College has a benevolent & meritorious place. (1) Having in my former messages to the Honorable Assembly recommended this Seminary of knowledge & Piety, by so many Arguments, I may not now repeat or add to them, least the World should think that the Interests of Literature & Christianity were difficult causes to obtain in New Hampshire.

It gives me great pleasure to inform you That his Majesty has been graciously pleas'd to approve & confirm the Act to prevent excessive Usury, and the Act for dividing this Province into Counties. I have sought this Prosperous Event with zeal & assiduity.

It now remains with the Honble House of Assembly, by providing suitable

(1) The memorial of Dr. Wheelock cannot now be found.—Ed.

[P. 77.] Establishments for the Circuit Judges, and other officers of that Court, to render this fresh Instance of his Majesty's Paternal Condescention & Goodness perfectly beneficial to his subjects in this Province.

J'WENTWORTH.

Council Chamber
21st March 1771.

The Depy Secy also bro't Down the Memorial of the Rev. Dr Wheelock President of Dartmouth College Representing something of the Present situation of himself and of the College & Requesting the favourable consideration of the General Assembly.

Voted That William Parker, Saml Livermore and Meshech Weare Esqrs be a Comtee to prepare an answer to his Excys Message.

After some consideration of his Excys Message and Docr Wheellocks memorial

The House adjourned.

Tuesday, March 26th 1771, P. M.

[P. 79.] The Comtee to prepare an answer to his Excys message of the 21st Inst. Laid the following Draft before the House, viz.

May it please Your Excellency —

The House have duly consider'd your Message of the 21st Instant, & must acknowledge the several matters you have suggested are worthy of their immediate attention & Endeavor to carry into Execution.

The advantage which wou'd accrue from an easy communication between the various parts of the Province, is a matter your Excellency has made obvious, tho' the House cannot think it ought to be done at the Public Expence, but that the owners of the Land should defray that charge, as they will reap the greatest advantage by it, or that the Land itself should provide a good passage thro' it, & the House propose to pass an Act calculated for that Purpose.

They also concur in sentiments with your Excy that proper notice should be taken of Dartmouth College, which the House have Determined to do, as far as the Present circumstances of the Province will admit.

The House beg leave to congratulate your Excy on the happy event you have communicated to them of his Majesty's allowance of the Act Limiting the Interest of money & that for Dividing the Province into Counties, as they apprehend both these Acts (especially the latter) to be necessary means for the exercise of Distributive Justice in the Province, and on this Occasion they do hereby give your Excellency their sincere and hearty thanks for the sollicitous concern you have Discover'd and the Pains you have taken that [P. 80.] this measure might have its full effect.

The House would be greatly Defective in their Duty if they should neglect to make the necessary Provision for Defraying all Consequential charges and Expences ariseing by such a Law takeing Place, and shall with chearfulness Enter upon the consideration of those objects which your Excy mentions in your Message as claiming their peculiar attention.

The foregoing Draft being Read, Voted That it be sent to his Excy in Answer to his Message of the 21st Instant.

Wednesday March 27, 1771.

The House took under Consideration his Excᵡˢ Message of the 21ˢᵗ Instant, and on that part Relative to clearing Roads,

Voted That William Parker Samˡ Livermore Thoˢ Wᵏ Waldron Meshech Weare Esqʳˢ and Docʳ Thompson be a Comᵗᵉᵉ to Prepare an Act which may Answer this Purpose agreeable to what is mentioned in the House's Answer to his Excellency's message Relative to this matter.

P. M.

[p. 81.] Voted That there be paid to his Exᶜʸ yᵉ Governor out of the money that is or may be in the Treasury the Sum of one hundred pounds Lawˡ money for sundry Extra services Render'd the Province. Sent up by Capt. Giddinge & Capt. Worthen. [Concurred.]

Thursday March 28ᵗʰ 1771.

[p. 82.] Whereas the Act for Dividing of this Province into Counties was past with a clause suspending the operation of it untill his Majesty should have signified his approbation of it, of which approbation his Excʸ has Informed the House, recommended the making suitable Provision for the Judges of his Majesty's Superior Court of Judicature for the Province, Therefore

Voted, That the sum of sixty Pounds Lawful money be, and hereby is granted to each of the Judges of said Court for their services for the term of one year, Commencing on the day of the date of their Commission for holding said Court to be paid out of the money that is or shall be in the Treasury, in two half yearly payments, by the Governor's warrant, with the advice of Council. Sent up by Mr. Toppan. [Concurred with recommendation that £5 be added to Salary of the Chief Justice: accepted by the House.]

P. M.

[p. 83.] Upon Reading the memorial of Docʳ Eleazer Wheelock seting forth the Necessitous circumstances he was in by Leaving his Parish and Engaging in the business of Dartmouth College and that he was wholly Employ'd in the affairs of the College and had no certain method of subsistance —

Therefore Voted in consideration of his great services for the Interest of said College, That there be and hereby is granted to Said Docʳ Eleazer Wheelock the sum of Sixty Pounds Lawful money to be paid him out of the money that is or shall be in the Treasury as soon as may be. Sent up by Capt. Chamberlain. [Concurred.]

Voted That the Honᵇˡ Daniel Pierce Esqʳ be and hereby is appointed Recorder of Deeds and Conveyances of Real Estate

within the County of Rockingham in the Province aforesaid for the term of one year from the date hereof and until the tenth Day of the siting of the General Assembly next after the expiration of said year: and that he shall not be qualified to act as [P. 84.] Recorder untill he hath given Bond with sufficient Sureties Joyntly and Severally in the sum of two thousand Pounds Lawfull money unto the Hon^ble^ Speaker of the House of Representatives for the time being, & taken an Oath for the faithful Discharge of said office, & that the Hon^bl^ Jona. Warner Daniel Rindge & Peter Gilman Esq^rs^ & John Sherburne Esq^r^ & Mr. Jacob Sheafe be a Com^tee^ they or the major part of them to take the Books and Papers belonging to said office of Recorder into their custody, in case of the Death or incapacity of the Recorder, or on the Expiration of the aforesaid term, & them safely keep untill the further order of the General Assembly & that they be under Oath for the faithful discharge of their trust. Sent up by Capt Worthen. [Read and Concurred.]

Voted That Major Samuel Hobart Esq. be & hereby is appointed Recorder of Deeds and Conveyances of Real Estate within the County of Hillsborough in the Province aforesaid for the term of one year from the Date hereof & untill the tenth Day of the siting of the Gen^l^ Assembly next after the Expiration of said year: Under the same amount of Bond and the same terms and conditions as above — Col^o^ John Goffe Esq. Col^o^ John Hale Esq^r^ & John Shepard Esq^r^, a Committee, as above. [Concurred by the Council.]

[P. 85.] Voted That Major Josiah Willard Esq^r^ be and hereby is appointed Recorder of Deeds & Conveyances of Real Estate within the County of Cheshire in the Province aforesaid for the term of one year from the date hereof and untill the tenth Day of the sitting of the Gen^l^ Assembly next after the Expiration of said year: [under the same amount of Bond, and the same terms and conditions as above: Col^o^ Josiah Willard Esq^r^ Daniel Jones Esq^r^ & Col^o^ Samuel Ashley, be a Com^tee^ as above. [Concurred by the Council.]

[P. 86.] Fryday March 29^th^ 1771.

Mr. Levius Bro't from the Board a Petition of George King, Clerk of the Sup^r^ Court Praying for an allowance for the Extra Expences he must be at in Rideing the Circuit.

P. M.

Mr. King's Petition being considered,

Voted That there be allow'd to George King, Esq. for the Purposes mentioned in his Petition the Sum of ten Pounds Law^l^ money for one year to be paid half yearly out of the money in the Treasury by his Excellency the Governors Warrant with the advise of Councill. Sent up by Capt. Chamberlain. [Concurred.]

Saturday March 30, 1771.

Mr. Warner bro't Down the Report of the Com^tee for Examining the Acco^ts of Richard Jenness & John McDuffee. Esq^rs for making a Road, &c. as follows, viz.

[p. 88.] Province of New Hamp^r } March 29, 1771.

We the subscribers being appointed a Com^tee by the General Assembly to examine the acco^ts of Richard Jenness Esq^r and John McDuffee Esq^r for making the Province Road through Barrington Barnstead & Gilmantown and to find out an Equitable method for raising the sums necessary to be Raised in each of said Towns for that Purpose: having given Publick Notice of our meeting and no person appearing to make any objection having carefully examin'd said accompts Do Report as follows, viz.

That said Richard Jenness & John McDuffee should have of the said Town of Barrington Eighty five Pounds three shillings & seven pence; of the Town of Barnstead one hundred & seventy Eight Pounds twelve shillings and seven pence half penny; Of the Town of Gilmantown three hundred and thirty one Pounds Nine shillings and five pence for making the said Road through the said Towns and Incidental charges thereon according to the accounts therewith exhibited, And that the same should be raised by the Selectmen or Proprietors' committee of the said respective Towns by a tax on all the Land within the said Towns in equal proportion at such a rate as may be found adequate to the respective sums and that the respective Collectors for said Towns be Impowered to sell any of said Land for the payment of said Tax in case the owners should refuse or neglect to pay the same. And in case the money should not be levied & paid to the said Richard Jenness & John McDuffee in four months they should be allowed to sue the said respective proprietors & to recover the same to be leveyed as well of the Lands of the said respective Towns as of the Body or Estates of the owners thereof with Interest from the end of said four months.

Jonathan Warner
Daniel Rindge
Sam^l Livermore
Christopher Toppan
Eben^r Thompson
} Committee.

Tuesday April 2^d 1771.

[p. 89.] The Report of the Com^tee for Examining the Accompts of Richard Jenness & John McDuffee Esq^rs &c. Read & considered and voted that it be Accepted and a Bill Prepared agreeable thereto. Sent up by Mr. Wiggin. [Concurred.]

[p. 90.] Wednesday, Apr^l 3^d, 1771, p. m.

Voted That the Com^tee for Printing a correct Edition of all the acts of this Province in force shall as soon as the printing the same shall be compleated Deliver one of said Books (which are to be printed at the cost of the Province) to his Exc^y the Gov^r one to each of his Majesty's Councill and one to each member of the present Gen^l Ass^m.(*a*)

(*a*) Bills, acc^{ts}, Petitions &c. passed on by the house and concurred by the Council, from March 19th to April 3, 1771.

Petition of Greenwood Carpenter for a Divorce from his wife on account of adultery — leave to bring in a bill.

Petition of Abiel Chandler for allowance for apprehending deserters from the army — dismissed.

James Stoodley for sale of Excise 1770 allowed £1: 18: 6.

Tho^{s} Martin for a Flag at the fort, allowed £22: 2: 3 1-2.

Eleazer Russell for postage on Gov^{rs} letters, allowed £11: 1: 9.

Vote authorizing Geo. Jaffrey, Treas^{r} to sell certain Land in Hampton falls, recovered from one Nathan Rowe.

Samuel Livermore, Esq. for drawing sundry acts, allowed £5: 2: 0.

Doc^{r} Hall Jackson for medicine for John Jordan, a sick soldier, allowed £4: 2: 4.

Jon^{a} Warner, Esq. for selling the Excise, allowed £8: 14: 0.

Com^{tee} for repairing the State house, allowed £23: 9: 10 1-2.

Capt. Tho^{s} Bell, allowed on muster Roll, at fort Wm. & Mary, 1770, £159: 18: 0.

Do. Do. for supplys at said fort, £6: 18: 9.

Do. Do. for sundry expences £2: 6: 3.

Do. Do. for graving the Gov^{rs} barge £1: 4: 11.

Col^{o} Jon^{a} Moulton of Hampton, allowed for money burnt with his house, £5.

Ezekiel Moulton, of Moultonborough, for money burnt with his house, allowed, forty one pound old tenor. = £2: 1.

Capt. John Newmarch, Esq^{r} allowed for escape of Sam^{l} Cromwell a prisoner out of goal, £8: 14: 1.

Gov. Wentworth to be paid Salary for one yeor £700 L^{l} M.

Do. Do. for house rent, one year £100 L^{l} M.

Hon. Theo. Atkinson, for service as Secretary, one year, allowed £60 L. M.

Samuel Livermore, attorney Gen^{l} one year allowed, £25 L. M.

Dr. Samuel Langdon, as chaplain of the House one year, 50s L. M.

Thomas Parker, as sheriff, one year, £4 L. M.

Rev. Arthur Brown, as chaplain for the Council, one year, £5 L. M.

Dr. Samuel Haven, as chaplain for the house one year, 50s.

Committee for repairing Goal, allowed £20: 1: 0.

William Appleton for books for records, allowed £9: 13: 6.

Money ordered to be burnt, £1697: 4: 4.

[P. 94.] Thursday, Apr. 4th, 1771.

The Dep^{y} Sec^{y} Bro't Down a written message from his Exc^{y} Relative to the Support of his Majesty's Fort William & Mary and Relative to fixing a Lanthern at the flagg staff at y^{e} Fort as on File.

Governor's Message.

[Copied from MS. Gov^{rs} Messages, Vol. III, p. 395.]

Mr. Speaker & Gentlemen of the Assembly —

In considering the grant for the Defence and Support of his Majesty's Castle William and Mary in this Province; I find it necessary to recommend that Provision be made for at least eight Men exclusive of the Captain; and at Such rate as will enable me to enlist men capable of the Duty — The Wages allotted heretofore was inadequate; and as the safety of the Castle, Ordinance & military Stores required immediate Care, I order'd a compleat

Suit of Regimentals to each Man as a Bounty for Enlistment and faithful Service at least one year. These were contracted for at Six pounds proc: Money each Suit — And the Soldiers are habited with them. I recommend that the whole Garrison be thus cloathed annually, in that Case, the present Wages & billeting may suffice; what has been hitherto done is highly for the honor and benefit of the Province. I therefore trust the Honorable Assembly will grant the Said Sum of Six pounds pr Man for this cloathing; otherwise I must pay for it myself; which cannot be reasonable.

The Salary at present allowed to the Captain, demands your Consideration, it is by no means equal to his Services, I have no doubt you'll think it just, to make it more competent; For public Generosity and Justice is essential to justify any hope of public Fidelity & Service.

In examining the Treasury Accompts there appears, a Sum appropriated for building a Light-house; but it is insufficient for that purpose. Many valuable Lives are annually lost, and much property destroyed for want of Such a friendly Edifice; This may be in a great degree effected by making a Large and proper Lanthorn to be raised into the Head of the Mast which supports the Flagg Staff in the Castle — The Cost will not exceed thirty Dollars — and may be amply supported, by raising on all Sloops & Schooners 9d proc: Money, on all other Vessels 18d P. my every Voyage, to be collected upon the passes for said Castle, and Quarterly paid into the Treasury for this purpose, free of all deductions or expense; There can be no Officer, who would not willingly do this duty, free of other Reward, than wou'd result from the animating Glows of Humanity. On my part I will order that it be properly attended by the Officer at the Castle free of Charge. When we reflect on the many distressful Losses that now fill our Sea Coast with Widows & Orphans; which wou'd undoubtedly have been in a great degree prevented, by Such an aid as herein earnestly requested; their Tears, their pitiable Complaints irresistably engage our Minds in So Salutary purposes: Every future expiring Cry of a drowning Mariner upon our Coast will bitterly accuse the unfeeling Recusant, that denys and in effect wastes that Life, to save a paltry unblessed Shilling — I trust the Honble Assembly will therefore enable me to establish this Light, and that we shall participate with ev'ry Contributor, in the Blessings of our fellow Creatures whose Lives may thus be rescued from Death.

J'WENTWORTH.

Council Chamber 4 April 1771.

The Dep^{y} Sec^{y} also bro't from the Board the Petition of Doc^{r} Eleazar Wheelock President of Dartmouth College with his Associates for an Incorporation of a Tract of Land of about three miles Square into a Distinct Parish. (*a*)

(*a*) *Jour. C. & Assm.* April 4, 1771. The Petition of Doc^{r} Eleazer Wheelock, That a Parish of at least three miles Square in and adjoining the Towns of Hanover and Lebanon, might be set off and incorporated into a seperate and distinct Parish, to be under the immediate Jurisdiction of Dartm^{o} College agreeable to a promise in Writing under the hands of the Board of Trustees, Read at the Board and sent down to the House Recommended.(1)

Fryday April 5th 1771.

Voted that his Excellency the Capt. General be desired to give orders for Inlisting Eight men to be Posted at his Majesty's fort William & Mary for one year commencing the Twenty-fifth day

(1) The petition here referred to has not been found.—ED.

of March last under such officers as he shall be pleased to appoint. The pay of the officer shall be three pounds Lawful money pr month and Each private Eighteen shillings pr month and also as a Bounty to each private one suit of cloaths not Exceeding the price of six pounds L. M. and five shillings pr week for Billeting to be paid when the Muster roll shall be allow'd by the General Assembly. Sent up by Mr. Burley. [Concurred.]

Fryday, April 5th 1771, P. M.

[P. 97.] Majr Samuel Hobart appointed Recorder of Deeds and Conveyances of Real Estate for the County of Hillsborough and Majr Josiah Willard chosen Recorder of Deeds and Conveyances of Real Estate for the County of Cheshire gave Bonds to the Speaker agreeable to the Direction in the vote and were separately Sworn to the faithful Discharge of their office by the Clerk of the House.

The Deputy Secretary brought from the Board the following Message from his Excellency the Governor, viz.

Mr. Speaker & Gentlemen of the Assembly —

The Right Honbl the Earl of Hillsborough having transmitted to me his Majesty's Royal will and pleasure concerning a Proclamation issued by me bearing a date the 2d day of March 1769 declaring the price & value of foreign coins currant in the Province which Proclamation is deem'd unwarrantable by the act of Parliament in said Proclamation referred to, and therefore was null and void from the beginning and his Majesty having been graciously pleased to permit me to assent to an Act of the Council and Assembly to Establish all proceedings upon sd Proclamation that may be by them & me thought detrimental to private persons unless such provision be made — In obedience hereunto I communicate the premises to the Honbl Assembly and also I direct and notify that all further operation of the aforesaid Proclamation henceforth finally fully & effectually ceaseth.

J'WENTWORTH.

Council Chamber
5th April 1771.

[P. 98.] Wednesday Aprl 10th, 1771.

An Act for Establishing a Light to be kept at Fort William and Mary for the benefit of Vessells arriving or being upon this Cost in the Night time — Having been three times Read

Voted That it pass to be Enacted. Sent up by Deacn Knowles. [Concurred.]

[P. 99.] P. M.

An act to establish the Proceedings under the Governor's Proclamation Declaring ye value of money and ye Rate at which it should Pass in this Province, Having been three times Read,

Voted That it Pass to be Enacted. Sent up by Majr Hobart.

Thursday Apr^{l} 11th 1771.

The following Answer to his Excellency's Message of the fifth Instant was prepared and laid before the House, viz.

May it please your Excellency —

Your Excellency's Message of the fifth Instant wherein mention is made of his Majesty's Pleasure concerning your Proclamation Declaring the Value of foreign Coins currant in this Province surprised the House. The Province is thereby left Destitute of any Legal Standard for the value of the money Passing among us. The said Proclamation, however liable it might be to Exceptions was the only Rule we had, and the value of said Coins being Established in the Neighboring Colonies with the Royal approbation at the same Rates that were Declar'd by your said Proclamation as well as by the Act of this Province Pass'd the fifth year of his Majesty's Reign for Establishing the same, makes it not easy for us to conceive the Reason why as well the said Proclamation as the said Act are Disapproved of. Whenever [P. 100.] we can be so happy as to obtain a Right understanding of this matter we shall chearfully do what is needful on our Part to Establish a medium in the Province the usefullness whereof in the administration of Justice as well as in levying taxes for his Majesty's service is self-evident. In the mean time that his Majestys service and the Publick affairs of the Province may not be Delayed we shall Proceed to make the necessary Grants & Supplys in Expectation the same will be collected and Discharged according to the present currant value of money Passing among us, Altho' there is no legal Establishment for it as it seems to be out of our Power to Establish it at that or any other Rate. We shall proceed to Prepare an act to Establish the Proceedings upon the said Proclamation for the time past as Recommended. And the House pray your Excellency to Represent to his Majesty our unhappy situation for want of an Established Currency that may be a Legal tender between man and man to the End the same may be consider'd and Redress'd.

The foregoing Answer Read and Voted That it be presented to his Excellency the Governor. Sent up by Col^{o} Goffe, Maj^{r} Hobart & Capt. Chamberlain.

The following answer to his Excellency's message of the 4th Instant was laid before the House, viz.

May it please your Excellency —

The House have the pleasure to inform your Excellency that the several Articles proposed and Recommended to their consideration in your Message of the 4th Inst. have been duly consider'd by them agreed to and Voted accordingly.

The foregoing Answer Read and Voted, That it be presented to his Excellency the Governor. Sent up by Col^{o} Goffe, Maj^{r} Hobart & Capt. Chamberlain.

P. M.

[P. 101.] Voted That all Grants allowances assessments Judgments of Court Private contracts Payments and all other transactions whatsoever shall be Regulated by the same currency men-

tioned in the Supply Bill of the current year untill further order. Sent up by Col. Moulton. [Concurred.]

[P. 102.] Fryday, Apr^{l} 12th 1771, P. M.

An Act for Establishing and making Passable a Road from the Governor's house in Wolfborough to Dartmouth College in Hannover. (*a*)

(*a*) Votes, acc^{ts}, petitions, bills, &c. passed by the House and concurred by by the Council, from April 4 to April 13, 1771.

See Jour. C. & Assm. Report of Com^{tee} to examine the acc^{t} of Jonathan Dam for clearing a road in Rochester, allowed him balance 4*s* & 6*d*.

Rules for service of writs &c. adopted.

Report of Treasurer's acc^{t} accepted.

Bills signed by the Governor, (1) An Act for the ease & relief of Prisoners for debt (2) Also an Act for dissolving the marriage relation of Greenwood Carpenter and Sarah Leathers (1).

Noah Parker allowed £29: 19: 2 L. M. for cleaning and repairing fire arms.

James Gilmore allowed £3: 14: 8 current money for escape of one Jno. Mason from Goal.

Act for granting £2500 to his Majesty &c.

Jacob Tilton, inn-keeper at Portsmouth allowed £7: 6: 4 current money for Billeting soldiers.

Nathan Green allowed £112: 13: 8 curr. mon. for escape of Nathan Longfellow out of prison.

Richard Jenness Esq. allowed £7: 10, curr. mon. for wood, &c.

Acct. of Robert & David Fowle for printing, £7: 17: 6, curr. mon. allowed.

Wm. Davison for billeting soldiers, allowed £3: 4: 7, curr. money.

Caleb Sanborn for billeting soldiers, allowed £3: 6: 10 curr. money.

The following Bills passed by the Council and consented to by his Excellency.

1. An act to enable John McDuffee and Rich^{d} Jenness Esq^{rs} to recover certain sums of Money from the towns of Barrington, Barnstead & Gilmantown for making road thro' said towns.
2. An Act to authorize and enable the Treasurer of this Province to borrow £1500 for the payment of like sum, &c.
3. An Act for settling the charges of building the lower Bridge in Dover at the Falls and determining which of said bridges shall be hereafter maintained at the charge of the Town.
4. An Act for Establishing and making passable a road from the Governor's house in Wolfborough to Dartmouth College in Hanover.

An Act for establishing and making passable a Road from the Governor's House in Wolfeborough, to Dartmouth College in Hanover.

[Copied from printed edition of Acts and Laws of the Province, 1771, p. 266.]

Whereas the opening and making of roads through the various parts of the province, is of great publick utility; and the making of a road to Dartmouth college will greatly promote the design of that valuable institution.

(1) This Act was disallowed by his Majesty Sept. 1, 1773. — ED.

Be it therefore Enacted, by the Governor, Council and Assembly, that there shall be a road laid out three rods wide, and made passable, from the Governor's house in Wolfeborough, through part of Wolfeborough, Tuftonborough, Moultonborough, New Holderness, Plimouth, and from thence on the straightest and best course to Dartmouth college, in Hanover. And that Joseph Senter, Samuel Shepard, and David Copp, be and hereby are appointed a committee to lay out and mark said road, and make a plan thereof, from the Governor's House aforesaid, to Pemigewasset river, near the mouth of Baker's river, at the charge of the province, not exceeding twenty five dollars And that John House, —— Freeman, and David Hobbart, be and hereby are appointed a committee to lay out and mark said road, and make a plan thereof, from Pemigewassett river aforesaid to the college, at the expence of the province, not exceeding twenty five dollars. And that the proprietors and owners of the land within the towns respectively, through which the said road shall be laid out, shall forthwith cause the same to be made passable, to the acceptance of the respective committees laying out the same, at the charge of such respective town, by an equal rate on all the land therein, except land reserved or laid out for publick uses. But in case the proprietors, in any of the towns through which the said road shall be laid out, shall neglect to make the said road, to the acceptance of the respective committees aforesaid, that laid out the same, by the space of six months after notice given thereof in the publick newspapers; the Governor or Commander-in-chief for the time being, may and shall appoint, by warrant under his hand and seal, some suitable person or persons as a committee or committees, within each of said delinquent towns, or being principal proprietors thereof, to make the said road through and within such town or towns respectively. And such committee or committees, so appointed by the Governor as aforesaid, shall forthwith proceed to make said road, at the charge of such delinquent town or towns respectively. And the charge thereof, being settled and allowed by the general assembly, shall be assessed, collected and paid by the selectmen or proprietors committees of such town respectively to be chosen for that purpose, by an equal tax on all the land within such towns, excepting as before excepted. The said tax or assessment shall be laid on the original lots, and the common right to be laid out (if any be) in proportion to the number of acres said original lots, or common rights to be laid out are supposed to contain, to be paid by the respective owners thereof. And in case the said owners or proprietors shall neglect to pay their respective taxes, made as aforesaid, by the space of thirty days after publick notice thereof, the said land shall be advertised and sold for payment of said tax, with incidental charges, as the law provides in other cases. And in case the selectmen or committees chosen as aforesaid, shall neglect their duty in assessing, collecting and paying such charge, by the space of six months after the same shall be allowed by the general assembly, as aforesaid, the same shall and may be sued for and recovered of the said selectmen, or committees aforesaid, for their neglect. And in case the collector or collectors, who in this case may and shall be appointed by the said selectmen, or committees aforesaid, shall be negligent in his or their duty, in collecting said tax and paying it in, according to the directions of his or their warrant, to be given him or them for that purpose, the said selectmen or committees respectively, may issue out an execution, or extent, against such delinquent collector, as the law provides in other cases; and the sheriff or his deputy are required to execute the same accordingly. But in case there be no selectmen or committee chosen, to make such assessment as aforesaid, the said charge shall be raised by making sale of so much of the land of such delinquent town, divided or undivided, as may be necessary for that purpose, with incidental charges; by a committee to be appointed, by the general assembly for that purpose.

Saturday, Apr 13th 1771. (a)

(a) *Jour. C. & Assm.* His Excellency directed the Secy to go down and require the attendance of the Speaker and house in the Council Chamber, when they accordingly came up, and his Excellr was pleased to make a speech to both Houses, which is as follows, viz.

Gentlemen of the Honourable Council and of the House of Assembly —

The Business immediately recommended, and such other as was usual and expedient to be done at this season of the year, being now compleated, I with pleasure observe the publick Good uniting with the particular convenience of both Houses in rendring a recess eligible. But as the Time for a new Election of Representatives is so near that I cannot meet this Assembly again without great and unavailing Expence to the Province, I embrace this opportunity to return my thanks to the honorable Assembly for the Candor, Moderation, Wisdom and uniform fidelity and Loyalty which has directed your Deliberations. In the Honorable Council I have experienced the same respectable Dispositions and Abilities. It gives me genuine satisfaction to present you my thankful acknowledgments on this occasion; This harmony, this unanimity in the Legislature, I flatter myself is a powerful indication of Provincial prosperity, in which I consider his Majesty's service is most perfectly included.

Gentlemen of the Council and Assembly —

Religion, Learning and obedience to the Laws, are so obviously the duty and delight of wise Legislators, that their mention justifies my reliance on your whole Influence being applied to inculcate, spread and support their effect, in every Station of Life. Indulging very sanguine hopes of your personal success herein, I am in course called to finish our collective political relation, It being for his Majesty's service that the General Assembly be NOW DISSOLVED, and is DISSOLVED accordingly.

J'WENTWORTH.

Council Chamber
13 April 1771.

[NOTE. The first page of the *Journal of the House* for the next Session, begun May 22d, appearing to be imperfect, the following record of the first meeting with the names of the members, is copied from the *Journal of the Council and Assembly*.—ED.]

Province of New Hampshire —

Anno Regni Regis Georgii Tertii Magnæ Brittanniæ Franciæ & Hiberniæ Undecimo.

At a Council and General Assembly convened and holden at Portsmouth according to the King's Writ on Wednesday the 22d day of May annoque Domini 1771.

Present

His Excellency JOHN WENTWORTH Esquire, Governor, &c.

The Honble Theodore Atkinson	Esqs	Daniel Peirce	Esqs.
Daniel Warner		George Jaffrey	
Jonathan Warner		Daniel Rogers	
Daniel Rindge		Peter Gilman	

Adjourned till 3 o'clock, P. M.

Met according to adjournment.

The Sheriff agreeable to the Tenor of the King's writ for a new Election of Representatives this day made a return of the Same with the Names of the several persons chosen to serve in General Assembly for the Respective Towns Parishes and places in the said Writ mentioned — which are as follows, viz.

[Note. The distances and days of attendance are added to this list from a list found on page 105 of the Journal of the House.—Ed.]

Distance.			Attendance — days.
	Portsmouth	William Parker, Esq.	19
		John Sherburne, Esq.	17
		Mr. Jacob Sheafe	17
14	Hampton	Christopher Toppan, Esq.	18
14		Josiah Moulton, gent	19
14	Dover	Otis Baker &.	17
14		John Gage, Esqs.	14
16	Exeter	Capt. John Giddinge &.	15
15		John Phillips, Esq	18
8	New Castle & Rye	Thomas Bell, Esq.	18
8		Richard Jenness, jun. Esq.	19
20	Kingston	Col. Josiah Bartlett, Esq.	18
18	Hampton Falls	Capt. Jonathan Tilton	19
5	Newington	Major Richard Downing, Esq.	19
12	Stratham	Andrew Wiggin, Esq.	18
38	Londonderry	Col. Stephen Holland, Esq.	18
16	Durham	Doct[r] Ebenezer Thompson	16
5	Greenland	Clement March, Esq.	18
14	New market	Capt. Israel Gilman	19
20	South Hampton	Capt Eliphalet Merrill	16
35	Chester	John Webster, Esq.	15
30	Plaistow, Atkinson & Hampstead	Capt. Jonathan Carlton	16
60	Holles	Major Samuel Hobart, Esq.	14
19	Summersworth	Col. John Wentworth	19
52	Merrimack	Capt. John Chamberlain	13
19	Rochester	Deacon James Knowles	14
20	Kensington	Benjamin Rowe, Esq	18
19	Barrington	Lieut. Samuel Brewster	10
42	Salem & Pelham	Major Joseph Wright	16
56	Amherst & Bedford	Collo. John Goffe, Esq	19
95	Keene	Mr. Benjamin Hall	—
100	Winchester	Col. Josiah Willard, Esq.	—
120	Charlestown	Mr. Simon Olcott	—
50	Nottingham W. & Litchfield	James Underwood, Esq.	17

His Excellency directed the Hon[bl] Theodore Atkinson Jonathan Warner and Daniel Peirce Esq[rs] to go down and administer the necessary Oaths of qualification to those Members that were attending in the Assembly Chamber. The said Committee accordingly went down, and returned the oaths signed by 28 Members.

[From "Journal of the House."]

[p. 107.] Thursday the 23[d] of May, 10 o'clock, a. m.

His Excellency desired the Assembly to proceed to the choice of a Speaker, which they did and made choice of the Hon[bl] John Wentworth Esq[r] the member return'd to serve for the Town of Somersworth, which choice being made known to the Chair his

Excellency was pleased to approve of him as the Speaker of the House. The House then proceed'd to the choice of a Clerk and chose William Parker Esq. one of the members return'd to serve for the Town of Portsmouth who was immediately sworn to the faithful discharge of that Trust and thereupon his Excellency was Pleased to Prorogue the General Assembly to the 11th day of July next at 10 of the clock in the forenoon at this place.

The Third day of July the Governor was Pleased by Proclamation to Prorogue the Gen^{l} Assembly to Tuesday the first of October next then to meet at the Court house in Portsmouth at 10 o'clock A. M. for the dispatch of Business.

Jour. C. & Assm. Further prorogued to the 14th November, and thence to Thursday the 12th day of December, 1771; by Proclamation.

At a Session of the General Assembly begun and held at Portsmouth the 12th day of Decemb^{r} 1771 by several Prorogations by his Excellency; the Governor's Proclamations having been put off to this day from the 22^{d} day of May last — There being but few members in Town the Secretary by the Gov^{rs} order adjourned the house to tomorrow 2 of the clock P. M.

Friday, Dec^{r} 13.

Met according to adjournment the Speaker not being in Town the house made choice of Mr. John Sherburne for Speaker pro tempore.

The house then made choice of Col^{o} John Goffe, Col^{o} Toppan & Dr. Bartlett to wait on the Govern^{r} to inform him there was a house — who return'd this answer that the Gov^{r} would send a message to the House tomorrow morning to which time they adjourned at 10 of the clock in the forenoon.

14 Dec. 1771.

Governor's Message.

[Copied from MS. Gov^{rs} Messa. Vol. III, p. 403.]

Gentlemen of the House of Assembly—

The present State of national and Provincial Tranquility I at the same time congratulate you upon, and recommend the most wise and diligent Improvement of Circumstances, so highly favorable for forming reviving and amending such Laws as may be found necessary for the public Good.

Among other important Considerations, The promoting of learning very obviously calls for Legislative Care. The Insufficiency of our present Laws for this purpose, must be too evident, seeing nine tenths of your Towns are wholly without Schools, or have such vagrant foreign Masters as are much worse than none: Being for the most part unknown in their principles & deplorably illiterate.

The useful progress of Dartmouth College promises the happiest Effects herein — its beneficial Establishment greatly depends on your sustaining Encouragement which I doubt not will be generously proportionate to your Value for learned and religious Education.

It is also necessary to form some Measures to promote Agriculture, and accommodate the Husbandman In bringing his Produce to this Market, otherwise every poor Labourer and Tradesman in & about this Town are left at the Mercy of those few Traders who import Bread, and can at any time raise the price to what they please; But a few months since none was to be had; at present the excessive price is almost an equal Calamity.

In the last Session of the General Court, a vote of Supply pass'd, to erect a Light at the Castle in this Province for the benefit of vessels coming into this Harbour and upon this Coast. The Mode therein mentioned was found impracticable, But the Necessity, Humanity and Advantage of a Building for this purpose is universally known: I have exceeded the Grant in erecting and lighting the Edifice. Already it hath been the acknowledged means of preserving two Vessels and their men. In all probability it will afford the like Benefit to many others. I have directed the account thereof to be prepared for y^r^ Inspection and recommend the Reimbursement to your early Consideration. To this End will naturally be applied a certain sum appropriated many years since for a Light House.

The Province Treasury is unsupplied through former Deficiencys, and unable to discharge the Grants already made, & due to sundry people who suffer grievously thereby; an immediate & very Easy Remedy is now in your power without augmenting the Province Tax: For it is with great pleasure I inform the Honorable Assembly & rejoyce with them thereon: That the Parliament of Great Britain hath been generously pleased to grant an ample reimbursement to this Province of six thousand & nine pounds sterling w^ch^ sum is received accordingly by Mr. Trecothick on behalf of the Province. From hence the Treasury Deficiencys may be adjusted with propriety and every just Remuneration made; among which it is incumbent on me to mention my unavoidably expensive & peculiarly laborious agency for this Province. The House of Assembly fully express'd their sense thereof in obliging Terms, on my arrival to the Province, but the Expence hath not yet been considered, altho' it has long born hard on my private affairs, which I did not repine at, while the Province was unable to pay it without increased Taxes: whereof I have been so effectually careful as to prevent my granted Salary from being one third so chargeable to the annual Province Tax, as were the same number of preceding years, for my Predecessor.

I earnestly recommend a diligent application of disinterested & wise principles in pursuing the real Good of the Province w^ch^ cannot fail of continuing legislative Harmony, and will readily meet with my Concurrence.

J'WENTWORTH.

Council Chamber
14 December 1771.

[P. 108.] Dec^r^ 17, 1771.

Voted That Mr. Speaker, Wm. Parker John Sherburne & John Phillips Esq^rs^ & Mr. John Giddinge be a Committee to answer the Gov^rs^ message at the opening of the Present Session as soon as may be.

[P. 109.] Fryday 20^th^ Dec^r^.

Mr. Jaffrey came into the house & Inform'd them that he was directed by his Excellency to lay the account relating to the building the Light house before them and to inform them that there

was a sum of Paper Bills in the Treasury & he desired the house would direct what should be done with them. The Secy Inform'd the house that the Board had join'd a Comtee in order to consider of the Excise bill.

Decembr 21st 1771.

Voted That William Parker John Phillips & Saml Livermore Esqrs be a Comtee to join such as shall be appointed by the Honble his Majesty's Council to Revise the Laws of this Province and make report at the next siting of the Genl Assembly what Laws they think necessary to be renewed alter'd or made new. Sent up by Mr. Knight. [Concurred, and Honbe Peter Livius & George Jaffrey Esqs & Wyseman Claggett Esqr added.]

An Act to prevent & punish disorders usually committed on the 25th of Decr commonly called Christmas Day, the evening preceding [and following] (1) and to prevent other Irregularities committed at other times, having been three times read, Voted that it pass to be Enacted. Sent up by Mr. Sheaff & Capt. Moulton.

Tuesday the 24th Decr.

Voted That John Sherburne Esqr & Mr. Jacob Sheaffe be a Committee of this house to joyn such as the Honbl Council shall appoint to purchase a Stove for the use of the House of Representatives & place the same in the Room where they usually sit, & that said Comittee Draw such sum of money out of the Treasury as may be Necessary to compleat the same. Sent up by Col. Goffe. [Concurred, & the Honbl Col. Warner added.]

[P. 110.] Decr 24th 1771.

His Excellency sent the following message to the House, viz.

Gentlemen of the House of Assembly —

The late Grant for repair of his Majesty's Castle Wm. & Mary having been usefully applied to that purpose, There still remains an absolute necessity of further aid for the safety and Garrison duty in said Castle which will more particularly appear by the Copy of the Memorial of Capt. Cochran herewith laid before the Honbl Assembly for their early & effectual consideration which earnestly recommend may be adequate to the urgent Public necessity therein.

J'WENTWORTH.

Council Chamber 24th Dec. 1771.

(1) See Jour. C. & Assm. — ED.

Memorial of Capt. John Cochran.

Province of New Hampshire } To his Excellency John Wentworth Esq[r] Captain General Governor & Commander in Chief of said Province in Council.

The Memorial of John Cochran Esq[r] Commandant of his Majestys Fort William & Mary, Humbly sheweth —

With due submission your memorialist begs leave to Represent the State of said Fort: — That the wood buildings within the garrison are very insecure against Fires especially the dwelling House in which he & his Family reside the Chimney being in bad condition as is evident by a recent accident when it took fire & put them in imminent danger. Also the soldiers barracks in which they are oblig'd to keep constant fires being so contiguous to the Powder Magazine renders their situation extremely hazardous & much more so on account of the Powder Magazine itself which is greatly out of repair besides the small number of soldiers in garrison who are quite Insufficient not only for Garrison duty but especially should any accident of fire take place and even these men on present pay cannot be expected to remain after their time expires which will be in the spring at the low rate of Wages & billeting now allow'd.

He also represents the great want of suitable boats for the use of the Fort. The old barge being much Damaged by a late storm when a Vessel in the Harbour running foul Drove her from her moorings & stove the boat almost to pieces so as to render her unfit for repair. Wherefore your memorialist prays your Excellency would [take] into consideration the dangerous condition of the Fort while these things are wanting that some Provision may be made therefor and an addition to our number of soldiers with further allowance for billeting and wages which will *amount?* us in the future steady attention to our duty, & your Memorialist will ever pray &c.

JOHN COCHRAN.

[P. 113.] Monday 30[th] [Dec[r]] 1771.

The following answer to the Gov[rs] Speech was read.

May it please your Excellency —

The Assembly have duly considered the several matters recommended to their attention in your message at opening the present session, and are fully convinced of the propriety of the Things recommended & the order & manner of the Recommendation. A time of General Tranquility is the only time proper for the making, raising & correcting of Laws, — for according to the maxim arising from Experience Inter Arma Silent Leges as well as to the Institutive as executive part of the Law and whether arma is taken in the strict & proper sense or in a figurative or metaphorical sense of the word for unsettled unquiet discontented seditious times.

We congratulate your Excellency on the Peaceable State of the Province which must be in a great measure owing to the acquiescence & satisfaction of the People under your prudent administration of Government & which believe & doubt not will continue as long as the same means which procured it are Pursued.

We beg leave to observe that we think it very a'propos that you have by order of your message plainly pointed out the necessary [connection] between good Education & the prosperous state of the People — for as they by the constitution have a share in the Governm[t] it is certainly of importance they should be able to sustain the part they are to bear with honor to themselves & with prosperity to the State which without such an Education is hardly feasably But without detaining your Excellency with a long detail of particulars, it is with pleasure we observe the extensive care your Excellency dis-

covers for the welfare of the people under your Governm^{t} by pointing out so many different things as the proper objects of their attention of the house, all which they will consider as other necessary affairs will permit and do what they shall after deliberate consultation Judge to be their duty ——— in fidelity to their ——— [Record defective.]

In the House of Representatives, Dec^{r} 31, 1771, voted the foregoing Draft be sent to his Excellency as an answer to his Message to the house at the opening of the Sessions.

John Wentworth, Speak^{r}.

Province of New Hamp^{r} } In the House of Representatives, Dec^{r} 31, 1771.

Whereas it appears by the memorial of John Cochran Esq^{r} Cap^{t} of his Majestys Fort William & Mary that there is a necessity of making repairs of some of the Buildings in said Fort they being much decay'd — That it was absolutely [———] some care should be taken of the Powder in said Fort that a proper house for securing the same should be prepared and the Powder secured in the mean time, Therefore Voted that Col^{o} Goffe Col^{o} Holland & Richard Jenness and Major Hobart Esq^{rs} be a Committee of this House to join with such as shall be appointed by the Hon^{bl} Board to Inspect & examine the Premises & Report what they Judge necessary to be done forthwith or as soon as may be and to Report where they judge it proper a Powder Magazine should be built. Sent up by Col. Toppan. [Concurred, and Hon^{bl} Theodore Atkinson, Jona. Warner, George Jaffrey & Peter Gilman added. (*a*)]

(*a*) Votes, Acc^{ts}, petitions &c. pass^{d} by the House and acted on by the Council from May 22^{d} to Dec^{r} 31, 1771.

Jour. C. & Assm, Dec. 31, 1771. The petition of sundry of the Inhabitants of the Town of Peterborough setting forth that about five years ago the Rev^{d} John Morrison was ordained to the work of the Ministry there since which he has been repeatedly guilty of y^{e} gravest immoralities, such as Profane swearing, Drunkenness, Lewdness &c. & therefore Praying the Interposition of the Legislature to release them from their obligation to support him &c. Read & sent down to the Assembly. Hearing ordered by the House.

Petition of inhabitants of Londonderry & Windham, (186 in number) complaining of Matthew Thornton moderator of the meeting held for choice of Representative — and praying to have a new choice — hearing granted.

Petition of Inhabitants of Goffstown for a new Township: hearing granted.

Petition of Inhabitants of Nottingham to be set off into a distinct Parish — hearing granted.

Petition from Rochester for a tax of one penny L. M. to be laid on the land in said town — hearing granted.

Petition of Alexander Phelps & Israel Morey agents for the town of Orford, praying for a tax of two pence to be laid on all the lands in s^{d} town for four years towards building a meeting house & to support their minister — hearing granted.

Petition of several Trustees of Dartmouth College for a Salary for the President & to exempt Lands granted to several officers of the College from any expenses. [Sent down from the Board but not acted on by the House.]

Petition of Inhabitants of that part of Chester called Long Meadows to be erected into a Parish — hearing granted.

Acc^{t} of Committee for repairing goal in Portsm^{o} £5: 1, allowed.

The memorial of John Sullivan in behalf of Sundry Inhab^{ts} of Peterboro' against John Morrison a Presbyterian Minister there, for immoral behaviour; accompany'd with the Minutes of the Presbytery before whom he was tried & examin'd. Sent down from the Board.

Report of Com^{tee} to settle the boundary line between South Hampton & Newton accepted with leave to bring in a Bill.

Rules of the House, (1) 1771.

[P. 106.] The Following Articles being numbered from one to ten Inclusively having been considered & approved were voted to be observed as the Rules of this House in the dispatch of the business to be Done & Transacted here.

1st That whosoever shall by any misbehaviour in Speech or Action justly offend any of the members of the House shall for the first offence be admonished, for the second fined as the House shall see meet.

2^{d} That no member speak Twice to any matter in debate before the house until every member have liberty to speak once to the same matter if he shall see cause.

3^{dly} That every member direct his Speech to the Speaker & not to one another, and when any member has a mind to speak to any point in debate he shall stand up & ask leave of the Speaker & not speak without his consent and shall be silent at his Command; but if the member speaking thinks such command unseasonable or unreasonable the Speaker shall take a vote of the House thereon to which such member shall submit on pain of forfeiting such sum as the house shall determine.

4^{ly} That when ever it happens that there are as many votes on one side of the Question as on the other without the Speaker that then the Speaker make the casting vote.

5^{ly} That if the Speaker be absent the house may choose a Speaker protempore that the business of the house may be carried on without delay.

6^{ly} That if any member after being Qualified & Enter'd shall absent himself at any time without leave from the house he shall be liable to be fined at the Discretion of the house.

7^{ly} That if any member of this house shall by the major part of the house be tho't unfit and not qualified for said place it shall be in the power to dismiss such Person giving Notice to the Town or precinct where he belongs to chuse another to fill up such vacancy.

8^{thly} That every Bill to be passed in this House be read three times and that there be two adjournments of this house before any Bill be passed into an Act.

9^{thly} That the Speaker with sixteen members be a house to do business.

10^{thly} That no vote that is passed in this house shall be reconsidered by a less Number than those present when it was pass'd.

[P. 114.] Province of New Hamp^{r} } In the House of Represent^{s}

January 1st 1772.

The Petitioners of Londonderry to have the choice of Col^{r} Holland as a Representative for said Town set aside and a new meeting & Election order'd were heard this day from Eleven o'clock in the morning to five at night excepting the adjournment

(1) The date of the adoption of these Rules is not given.—Ed.

from one to three, and after the hearing the house divided and there appeared to fifteen members against granting the Prayer of the Petition and fourteen for it and thereupon the Petition was Dismist.

January 2, 1772.

The house this Day took under consideration that part of his Excellencies Speech Relating to his services in Great Britain and soon after adjourned to morrow morning ten o'clock.

Friday, January 3d.

Governor's Message.

Mr. Speaker and Gentlemen of the Honorable House of Assembly —

I have it in command from his Majesty that an accurate & exact Provincial Survey be made & Transmitted. The great expence attending the compleating this measure hath hitherto defer'd my entering thereupon as it would have necessarily exceeded the former abilities of the Province, but this Difficulty being removed by the Residence of Capt. Holland his Majesty's Surveyor General of the Northern District of America who with great generosity offers to complete this most useful survey at the inconsiderable cost of one hundred Guineas to pay the sole charge of transporting his partys their Provisions Cloathing & necessary Instruments without any charge or payment for his or their time Provisions & Labour. This is so favorable an Event that I most earnestly recommend to the Honbl Assembly that they make provision for its execution which may be done this Winter. I cannot in the least doubt the Honbl House will consider this Recommendation with enlarg'd sentiments more Particularly upon this time when a considerable grant in favor of the Province hath been made by the Parliamt of Great Britain under so many & such circumstances that cannot but impress a grateful Emulation Especially to carry into Effect a plan fully comprehensive of great usefulness & which will finally save above ten times this sum to the Province.

J'WENTWORTH.

Council Chamber
in New Hampshire, Jany 2d 1772.

[P. 115.] NOTE.—The names of members of the house are here entered, for 1772, precisely as before on printed page 286, with this additional note, viz.—ED.

"Whereas the General Assembly was adjourned the 24th Decr 1771 & the 16th Jany 1772 so late that a great Number of the Members were not able to travil home until the next day therefore Voted that each member be allowed as is set down above & the Clerk to make out his certificates accordingly."
May 29, 1772.

[P. 116.] January 3d 1772.

Voted That Mr. Speaker, Colo Phillips, Colo Toppan be a Committee to wait on his Excellency to desire him to inform the House Respecting his Instructions for a Provincial Survey.

The Comtee Returned & Reported that his Excellency would lay it before the House.

P. M.

His Excellency sent a copy of his Majesty's Instruction referred to above by the Depy Secretary which was read, viz.

"You shall likewise take care that a general Plan be made of all our said Province and of each County with the several Plantations & Fortifications on it and that an Exact Map or Maps thereof be transmitted to our Commissioners for Trade & Plantation."

A copy of Royal Instruction Relative to a Provincial Survey.

J'WENTWORTH.

3d Jany 1772.

Province of New Hampshire. } January the 3d 1772.

In consideration of the Eminent services his Excellency our Govr has done this Province & in a grateful acknowledgement of which, Voted that there be & hereby is granted to John Wentworth Esqr our Governor the sum of five hundred pounds Lawful money Equal to so much Proclamation money in full for his extraordinary services.

Province of New Hampr. } In the House of Represents January 4th 1772.

Voted that the message sent by the Governor relative to the Survey of this Province proposed to be made by Capt. Holland be complied with and that there be and hereby is granted to said Saml Holland the sum he has proposed to do said service for, viz. One hundred guineas or one hundred and forty Pounds Lawful money Equal to so much Proclamation money to be paid out of the money Lately granted by Parliament to this Province when the work is completed & plans return'd to the Governor Council & Assembly one to Each.

[P. 117.] January 9th 1772.

Province of New Hampr } January 9th 1772.

In the House of Representatives, The Comtee appointed to examine the accounts of the charge of building the Light House

having considered the same & made such deductions as they tho't Reasonable have Reported that there is due to Daniel Brewster the sum of three hundred & seventy two pounds Eleven shillings & one penny together with the other workmen employed in said work to whom he is answerable.

Therefore Voted that there be paid to the said Daniel Brewster the said sum of three hundred seventy two pounds Eleven shillings & one penny out of the money that is or shall be in the Treasury which sum is to be consider'd as paid in Lieu of the money formerly appropriated for the building of a Light house but applied to other uses.

[P. 118.] Monday, Jan^{y} 13th 1772.

In the House of Representatives,

Voted, That all the Law books lately printed at the cost of the Government be distributed in the following manner: to his Excellency the Gov^{r} one, each of his Majesty's Council one, 44 to the members of the Present & Late Assembly, 88 to the Taxable Towns & Parishes, 10 to the Clerks of the several Courts, 15 to lay in the house. Wm. Parker, Jno. Sherburne, Jacob Sheafe, Mr. Webster a Com^{tee} to get said books bound in the best manner.

In the house of Representatives Jan^{y} 16 1772.

Voted That John Sherburne Esq. Mr. Jacob Sheaff John Giddinge & Christop^{r} Toppan be & hereby are appointed a Committee to advise & consult with some suitable Persons whether there can be Galleries built in the Assembly Room or house & make Report at the next meeting of the Assembly. (*a*)

(*a*) Votes, Bills, Acc^{ts} &c. passed by the House and acted on by the Council from Jan^{y} 1 to 16th 1772.

Ballance of Acct for repairs at the Castle, allowed £21: 11: 2.

Thos. Parsons allowed £9: 19: 10 on account of escape from goal of one James Gordon, a prisoner.

Samuel Fulsome also allowed £4: 3: 4, for same.

Acct. of Zach^{r} Foss, for billeting soldiers allowed £15: 3: 3.

Noah Parker's acc^{t} for supplies for the Light house, allowed £6: 15: 9.

Capt. Eliphalet Daniel, for boarding several persons while sick in prison, allowed £7: 19.

John King for billeting soldiers, allowed £1: 16: 11 1-2.

Jacob Tilton for billetting soldiers, allowed £2: 15: 8.

Jour. C. & Assm. Jan 16, 1772. His Excellency the Governor was pleased this day to give his consent to all such accts and allowances as had passed the Council, & to such other Papers as were necessary for his signature and also to the following Bills pass'd this Session, viz.

1. An Act for the Punishment of Forgery.
2. An Act to establish a Dividing Line between the Town of Southampton and the Town of Newton.
3. An Act to establish the Proceedings under the Governor's Proclamation declaring the value of money & the rate at which it should pass in this Province.
4. An Act in addition to an Act or Law of this Province passed in the 7th year of the Reign of his late Majesty King George the Second, Intituled "An Act for the better regulating Highways."
5. An Act in addition to an Act Intituled An Act for establishing a Light to be kept at Fort William & Mary for the benefit of vessels arriving or being upon this Coast in the Night time.
6. An Act, to prevent and punish Disorders usually committed on the Twenty-fifth day of December commonly called Christmas Day, the evening preceding and following said Day, and to prevent other Irregularities committed at other times.
7. An Act to continue in force an act passed in the 7th year of his Majesty's Reign Intituled an Act for ascertaining the Excise granted on Spirituous Liquors retailed in this Province by an Act passed in the 5th year of George the 2d in Lawful money, and for preventing Fraud & Deceit by avoiding a discovery of what is retailed & enforcing a due and regular payment of such Excise, with the form of an Oath to be adminstd to those who have Licences.
8. An Act, to vest the property of forfeitures and fines that shall arise & be incurred by Law within any of the Counties in this Province, as also the Money for licences for liberty to sell Spirituous Liquors, which by Law used to be paid into the publick Treasury of the Province & applied to the use of the Province; to vest the same in the Inhabitants of the respective Counties aforesaid, to be applied for the use of the Counties, and to authorize the County Treasurer to issue his Extents as the Province Treasurer may do by Law.
9. An Act to supply the Treasury of this Province with the sum of Five Thousand Five hundred pounds sterling, to be raised by the sale of Bills of Exchange to be drawn on Barlow Trecothick Esqr the agent for this Province in Great Britain and paid out of the money in his hands lately granted to this Province by Parliament; to be applied as is herein directed & as the Governor Council & Assembly shall direct. And also to suspend the power & authority given to the Treasurer to lay a Tax on the Polls & Estates of the Inhabitants of this Province to redeem the Notes of hand he had given on account of the Province, and to appoint a Comtee to draw said Bills.

His Excellency was this day pleased to adjourn the General Assembly to Monday the 30th day of March next at 10 o'clock A. M.

His Excellency was pleased by Proclamation dated 13th March to Prorogue the said General Assembly to the 19th day of May next.

[P. 119.] *A List of Names of Towns sending members of the Gen'l Assembly, and the Names of the Persons who represent them in a Session begun 19th May, 1772.*

Towns.	Members.	Days' Attendance.	Amount Certified.
Somersworth	John Wentworth, Speaker	23	£19: 5: 8
Portsmouth	William Parker	23	
	John Sherburne	23	
	Jacob Sheaff	23	
Dover	Otis Baker	17	18: 16: 2
	John Gage	19	17: 18: 4
Hampton	Christoph'r Toppan	23	18: 16: 2
	Josiah Moulton	22	18: 4: 2
Hampton Falls	Jona. Tilton	16	15: 18:
Exeter	John Giddinge	17	16: 18: 8
	John Phillips	23	19: 5: 3
New Castle	Tho's Bell	22	16: 10: 8
Rye	Rich'd Jenness	23	17: 8: 8
Kingston	Josiah Bartlett	20	18: 9: 4
Newington	Ric'd Downing	22	
Stretham	Andrew Wiggin	23	18: 1:
Londonderry	Steph'n Holland	10	13: 7: 4
Greenland	Clem't March	23	16: 2: 11
Durham	Eben'r Thompson	19	17: 10: 8
New Market	Israel Gilman	23	19: 14: 4
South Hampton	Eliph't Merrill	23	18: 15: 4
Chester	John Webster	23	20: 0: 6
Plaistow, Hampstead & Atkinson	Jonathan Carlton	23	19: 12:
Salem & Pelham	Joseph Wright	15	18: 14:
Hollis	Samuel Hobart	9	
Merrimack & Munson	John Chamberlane	22	20: 10: 8
Nottingham West & Litchfield	James Underwood	22	20: 7: 4
Kingston	Benja. Rowe	21	16: 10:
Rochester	James Knowles	20	17: 8: 8
Barrington	Samuel Brewster	21	16: 4: 8
Amherst & Bedford	John Goffe, 56 m.	23	20: 1: 4
Winchester	Josiah Willard, 110 m.	15	12: 13: 8
Keene	Benja. Hall, 95 m.	15	9: 15: 9
Charles Town	Simeon Alcock, 120 m.	21	11: 15: 5

May 29, 1772. Voted That Mr. Benj[a] Hall be allow'd Travil 60 miles for Travelling in May 1771 before he heard the Gen[l] Assembly was adjourn'd also for 70 miles Travel another time & was taken sick & could not proceed any further — Also Voted that Mr. Olcut shall be allow'd 85 miles Travil for Travilling so far in May 1771 before he heard the General Assembly was adjourn'd.

Jour. C. & Assm. May 19. 1772.

Members of his Majesty's Council present.

His Excellency John Wentworth, Governor.

Theodore Atkinson		George Jaffrey
Daniel Warner		Daniel Rogers
Jonathan Warner	Esqrs.	Peter Gilman
Daniel Peirce		T. W. Waldron
Daniel Rindge		

[P. 120.] At a session of the General Assembly held the 19th of May by Prorogation from the — March 1772, the Governor was Pleased to adjourn the House to the 20th Instant & being Inform'd that there was a house he sent the following Message.

Mr. Speaker & Gentlemen of the General Assembly —

Having no special matter in command from his Majesty for your consideration I shall at present only recommend to your attention the Granting of a proper supply for the necessary support of Government the ensuing year, this being the customary time of making Provision for that Purpose, I have directed the Treasurer to lay before you the accounts of the last year to enable you to form an Estimate of the Sum requisite on the present occasion; whatever else may appear necessary for your Deliberation shall be communicated to you in the course of the Sessions —the Harmony & Unanimity which usually distinguish your proceedings afford me the fullest confidence that such business as comes before you, will receive the utmost dispatch as well to avoid creating Expence to the Province as to accommodate your own private Avocations at this Season.

J^WENTWORTH.

Council Chamber, New Hampshire,
May the 20th 1772.

The petition of James Brackenridge setting forth the grievances of the Inhabitants on the Land on the west side of Connecticut River as appears in the Petition — ordered to lay for consideration. (*a*)

(*a*) Jour. C. & Assm, May 20, 1772. The Petition of James Breakenridge in behalf of the Inhabitants of sundry Townships on the West side of Connecticut River, formerly under the Jurisdiction of this Province, but now annexed to the Prov^e of New York Praying that the General Assembly would Address his Majesty intreating that he would be pleased to reannex them to this Province &c. Read & sent down. (1)

P. M.

The petition of the Com^tee of the Town of Hopkinton setting forth that their Town was divided by the County Act which made great Difficulty in their Publick affairs,

Voted that the Petition^rs serve the Inhabitants who live within the town of Bow that they may be heard on the 27th Inst. if the Assembly is then sitting, if not on the 3^d day of their sitting next.

Thursday, 21.

Voted That Mr. Parker, Clem^t March, John Phillips & Steph^a Holland [be] a Com^tee to consider of the petition, *to consider* what may be proper to be done relative to the Lands on the West side of Connecticut River.

P. M.

[P. 121.] The House considering that the time the Recorders of the several Counties were chosen for was near expiring, they proceeded to make choice of Daniel Peirce Esq^r to be recorder for the county of Rockingham, Sam^l Hobart Esq^r to be Recorder for the County of Hillsborough & Josiah Willard Esq^r to be Recorder

(1) The Memorial here referred to, the editor has not been able to find.—Ed.

for the County of Chester [Cheshire?] for the term of one year and for the term of ten days after the said year as heretofore. [Each on condition that he give Bond in £2000 & also take an oath. A committee appointed to take the Bonds & papers into their custody in case of the death or incapacity of S^{d} recorders.]

—

In the House of Representatives, May 22.

Upon reading the Petition of James Brackenridge, Voted that the House will request the Governor to Represent the case of the Petitioners & state the circumstances of the settlers on the West side of Connecticut River to his Majesty's Secretary of State for this Department to obtain Relief for them & the Jurisdiction of said Land if it may be & that Wm. Parker be desired to prepare a vote to be laid before the House at their next meeting.

[The following is the vote prepared and adopted.]

Province of New Hampshire,

In the House of Representatives, May 22, 1772.

Upon Reading the Petition of James Brackenridge setting forth the Distress'd condition of the People on the West side of Connecticut River settled on the Grants of Lands made by the late Govern^{r} of this Province with the advice of his Majesty's Council, it appears their condition is Deplorable, and that in such a confused state of affairs there can be no useful cultivation of Land, that these people have been long in Possession and made very considerable Improvement without any interruption & lived in Comfort and content till the change of the Jurisdiction in the year 1764, Therefore

Voted, That his Excellency the Governor of this Province be & hereby is earnestly Requested to Represent to his Majesty's Secretary of State for this Department the unhappy situation of these People, the violence by which many of them have been dispossess'd of their Improvements and the fruit of their labour & Expence, That the Terms of the grants of Lands made in this Province are much more advantageous to promote the settlement and cultivation of the Land than those made in New York, that with respect to the much greater Distance from New York the seat of Govern^{t} in that Province more than from Portsmouth the seat of Governm^{t} here, must make it vastly more convenient for the Inhabitants of these Lands to be under the Jurisdiction of New Hamsh^{r} than that of New York, That by his late Majesty's Instruction to the Governor of this Province in the year 1744 to Inform the House of Representatives of this Province, That unless they took care of the support and supplies of Fort Dummer which lies on the West side of the River which till then they had not done, his

Majesty should find it necessary to set off a proper district of Land to the Massachusetts, for that it seemed to him unreasonable to oblige them to maintain a Fort in another Government, That thereupon the Assembly tho't proper [ ] with the duty Recommended, & supported that Fort as commanded accordingly,—by all which it appears that these Lands were then within the Jurisdiction of this Province — That this Province were not Inform'd of the design of altering the Jurisdiction, were never heard on that matter which they might have set in such a light that it would never have been done. These hints with what ever else may occur to his Excellency on this occasion, this house Pray the favor of his Excellency to urge in such manner as he shall judge Decent Especially in favor of the sufferers in whose behalf we think it may be well said that there is no connection between the Ideas of Jurisdiction & of Government & the propriety of Individuals.

Province of New Hampshire In the house of Representatives May 26th 1772,

Voted That the foregoing Request be passed & sent to his Majesty's Council.

Wm. Parker, Clk.

[Concurred by the Council.]

Monday, May 25th.

The Speaker not being arrived, they made choice of John Sherburne Esqr as Speaker pro Tempore.

A message was sent to the house respecting an Indian of St. Francis tribe who was in Town that it would be proper to take some notice of him & make him a small Present. (1) The house adjourn'd to tomorrow nine o'clock.

May 26.

[P. 122.] Upon the Governor's message to allow or make some small present to the Indian,

Voted That the House cannot see their way clear to grant any thing, for that it appears he does not come in behalf of any of his tribe or in any public capacity and that a gift to him would in effect be an Invitation to others to come a begging.

(1) This message has not been found.—Ed.

May 27.

(*a*) *Jour. C. & Assm.* A Vote [from the house] that there be paid unto each Member of his Majesty's Council 7*s* pr Day during their attendance in General Assembly from the 22^{d} May 1771 to the Dissolution of the present Gen^{l} Assembly, upon a certificate from the Secretary, and 2 1-2*d* pr Mile for Travel every time the same is adjourned or prorogued. Also 6*s* pr Day to each Member of the Assembly from the said 22^{d} Day of May to the Dissolution of the present General Assembly, and 2 1-2*d* per mile for Travel, except such Member lives more than 14 miles from hence, in w^{ch} case they are to receive one day's pay when the Court is adjourned only from Saturday to Monday upon a certificate from the Clerk of the house; Also, that the Clerk be allowed 6*s* pr Day, in that capacity from the aforesaid period, exclusive of his pay as a member of the house all the aforesaid sums to be paid out of Money that is or shall be in the Treasury. [Read and Concurred.]

[P. 124.] A Resolve of Council Impowering a Com^{tee} appointed to make passable a Publick Road from Charles Town to Boscawen and allowing them to make such alterations as they found would be necessary was sent down from the Board, Read & Concurred.(*a*)

(*a*) *Jour. C. & Assm. May* 27. A Resolve to Enable Edward Goldstone Lutwycke & others more effectually to proceed on the business of clearing a Road from Charlestown to Boscawen w^{ch} they were appointed to do by an Act passed in the 9th year of his Maj^{tys} Reign. Read at the Board & sent down.

His Excellency the Gov^{r} sent the following Message to the House, viz.

Mr. Speaker and Gentlemen of the Assembly —

It has been suggested by experience that the fines in the Militia Act not being reduced expressly into the present currency by Legislative Authority induces much difficulty & too frequent evasions of the Militia Discipline required by Law; Therefore recommended that this matter be remedied by a Law proper thereto.

The State of his Majesty's Castle Wm. & Mary in this Province exceedingly demands effectual consideration. Repairs now applied will be the wisest Economy. Under this head you will naturally observe the insufficiency of the Garrison Establishment for the Duty necessary, the number of soldiers, their pay & billeting are found inadequate & I earnestly recommend that suitable Provision may be granted for this Purpose, for 'tis impossible that either the officer or the soldiers can well subsist on the present pay, more Especially the officer who by his Spirit & assiduity in his duty has merited greatly of the Province; it will also be requisite that some Law be early passed to prevent under severe penalties the purchasing cloaths arms or accoutrements belonging to enlisted soldiers, or supplying them with Rum or other Spirituous Liquors without leave of the commanding officer on duty.

J'WENTWORTH.

Council Chamber
New Hampshire, 27th of May, 1772.

May 28th.

Voted That Col^{o} Goff Major Willard, Rich^{d} Jenness & Col^{o} March & Mr. Sheaff be a Com^{tee} of this House to join with such as shall be appointed by his Majesty's Council to view the Fort

& consider what Repairs are necessary to be immediately made & where a magazine for the Powder may be conveniently built. [Concurred, and the Hon^bl Theodore Atkinson, Daniel Warner, George Jaffrey, Daniel Rogers and Peter Gilman Esq^rs added.]

Whereas sundry Persons have represented to this house that they have in their Possession small Quantities of Bills of Credit of this Province, That due notice had not been given pursuant to a former vote of this house, & some suggest that they had applied to the Treasurer but that he had not then money to exchange them with & before he could be provided the time limited for the Exchange was passed; Wherefore to take away all grounds of complaint and that Justice may be done in this behalf to all Persons, It is Resolved & Voted That the Treasurer be & hereby is authorized to Exchange said bills and give the Possessor thereof Lawful money Equivalent computing as he did in case when he exchanged by virtue of the Act passed in the Eleventh year of his Majesty's Reign, that he may continue so to do for the term of three months from this date & give Public notice thereof Immediately & none shall be received or exchanged after the expiration of said three months. Sent up by Col. Gage.

P. M.

Message from the Governor.

Gentlemen of the Council & of the Assembly —

I recommend to your consideration the previous measures necessary to be Enacted toward Enabling the Counties of Strafford & Grafton in this Province to exercise & enjoy County Privileges.

J^WENTWORTH.

Councill Chamber
New Hampshire 28^th May 1772.

In Council eodem die, Read & ordered to be sent down to the House.

G. King, Dep. Sec^y.

Upon reading which in the House, Voted that Christopher Toppan, Richard Jenness Esq^rs & Rich^d Downing, Esq^r be a Com^tee of this House to join with such as the Hon^bl his Majesty's Council shall appoint to consider the subject matter of said message & Report accordingly as soon as may be. Sent up by Mr. Alcott. [Concurred, and the Hon^bl Mr. Jaffrey, Mr. Rogers & Mr. Gilman added.]

Report of Excise Committee.

[P. 125.] Province of New Hampshire

Portsmouth, May 27, 1772. Agreeable to vote of the General Assembly January 12^th 1772, appointing a Com^tee for farming out of the Province Excise, having met at the house of James Stoodley Esq^r & sold the same in three divisions viz. Benjamin Butler Esq^r the first Division for six hundred & sixty pounds, to Rich^d Jenness Esq^r the Second Division for one hundred & four pounds, to Steph. Holland Esq. third Division one hundred & seventy

pounds, the whole amounting to nine hundred & thirty four pounds lawful money, for which we have taken their bonds for the above sum & delivered the same to the Hon^bl George Jaffrey Treasurer & taken his Receipt. Pr order of the Com^tee.

Jonathan Warner, Chairman.

Friday 29, 1772.

The Deputy Sec^y came down with a message from his Excellency Informing the house that he had assented to the votes Respecting the appointing Recorders for the Counties of Rockingham, Hillsborough & Cheshire.

Voted That John Sherburne & Josiah Bartlett Esq^rs be a Com^tee of this house to join with such as shall be appointed by the Hon^bl his Majesty's Council to prepare some Refreshments for his Excellency & such of his Majesty's Council and House of Representatives as shall be willing & can attend on his Excellency at his Majesty's Fort Wm. & Mary, on the King's birth day & drink his Majesty's health there at the expence of the Province. Sent up by Mr. Wiggin. Concurred, and Hon^bl Daniel Rindge & George Jaffrey Esquires added.(*a*)

(*a*) Votes, Acc^ts petitions &c, passed on by the house and concurred by the Council from the 19^th^ to the 31^st^ May, 1772.

Jour. C. & Assm. Petition of Eliphalet Pattee for a divorce from his wife Abigail — hearing granted.

Petition of George Wentworth to revive an action in Court — hearing granted.

Petition of town of Hopkinton (divided between two Counties) praying that the whole town may be annexed to Hillsborough County.

Petition of Rochester for liberty to tax lands for four years for the clearing & maintaing roads — hearing granted.

Petition of Sundry inhabitants of New Boston that a part of it called New Addition may be incorporated into a township — hearing granted.

Petition from Nottingham to be set off as a parish — leave to bring in a bill.

Nathan Green allowed £112:13:8 for loss incurred for escape of one Nathan Longfellow from goal.

Petition of inhabitants of Goffstown respecting the illegality of their town meeting, and that it might be set aside — hearing granted.

Petition of Mark Hunking Wentworth for affirmation of judgment of Inf^r Court — hearing granted.

Report of Committee for burning money — accepted and discharged.

The Governor's Salary £700 Lawful money for one year and £100 for house rent, allowed.

Salary of Hon. Theodore Atkinson, Sec^y, allowed £60 for one year.

Salary of Attorney General, Samuel Livermore, allowed, £25.

Rev. Arthur Brown, allowed £5 as Chaplain for the Council.

Rev. Dr. Samuel Langdon, allowed 50*s* as Chaplain of the House.

Rev. Dr. Sam^l Haven, allowed 50*s* as Chaplain of the House.

Sheriff of Rockingham Co. allowed £4, for extra services.

Acc^t of Capt. Hercules Mooney, for enlisting soldiers in 1758, balance £34 Sterling, allowed & paid.

Petition of Inhabitants of Dover, concerning the Upper bridge in s^d town, hearing granted.

Treasurer's acct and Report of Comtee thereon, accepted, leaving a balance in favour of the Province of £2799: 4: 10 3-4.

Petition of Alexr Phelps and Israel Morey, of Orford for a tax of 2d pr Acre on Lands there for building a meeting house — hearing granted.

Enoch Poor and Theodore Carleton allowed the sum £7: 4: 6, on account of the escape of James Gordon from goal.

Report of Comtee to sell the Excise — accepted.

New Castle allowed £30 proclamation money in consideration of the soldiers attending the public worship there.

Thomas Martin allowed £8: 13: 5 for supplies to the Fort Wm. & Mary.

James Grouard allowed £5: 8 for taking care of the State house one year.

Eleazr Russell allowed for postage on Governor's letters for one year, £13:10.

Docr Hall Jackson allowed for medicines and attendance at the Fort. £5: 10: 6.

James Dwyer for billeting soldiers, allow'd £2: 3: 6.

Wm. Jones for Billeting soldiers, allowed £4: 10: 4.

Benja Mackay, allowed £3: 17. for 28 musket belts for the Province.

John Staves allowed for billeting soldiers, £15: 8: 6.

[p. 126.] Tuesday June 2d, 1772.

On the Petition of Eliphalet Pattee it appearing that the said Abigail his wife had been duly notified of this Petition & that she had acknowledged her guilt under her hand & seal & that the Petitioner had a legal claim to what he petitioned for, therefore

Voted That he have leave to bring in a bill accordingly. Sent up by the Clerk. [Concurred.]

June 4th.

Met according to adjournmt, but being the King's birthday the House waited on his Excellency the Governr at Castle Wm. & Mary to view the same & see what Repairs were necessary & on their Return it was too late to go on business, whereupon they adjourned to tomorrow morning nine o'clock.

[p. 127.] June 5th.

The Petition of the Inhabitants of Goffstown for a new Parish by the Presbyterian party was heard and the Petition dismissed.

Upon hearing said Petition & hearing said Parties and it appearing to the house there was not a number sufficient to be incorporated into a Parish, & that by incorporating them it would weaken the hands of the Party not Petitioning so that neither party would be able to carry on the necessary charges of a Parish, & therefore Voted that the Petition be dismissed.

P. M.

Whereas it appears that the under pinning of the Slepers of this house is fallen down or are Rotten off which will soon Endanger the house if not speedily Repaired, Therefore

Voted that John Sherburne Esq^{r} be a Com^{tee} of this House to join with such as the Hon^{ble} his Majesty's Council shall appoint, to get the necessary repairs made in the best manner they may or can & that the Com^{tee} draw money out of the Treasury to defray the charges thereof. Sent up by Andrew Wiggin Esq^{r}. [Concurred, and the Hon^{ble} Dr. Rogers added.]

Voted, That Capt. Cochran's acc^{t} amounting to £24 : 19 : 8 for the Entertainment of the Gen^{l} Assembly at Fort Wm. & Mary being the King's birthday be paid out of the money that is or shall be in the Treasury. [Concurred.]

Tuesday 9th June 1772.

Voted That the Gov^{r} be desired to give orders for Inlisting eight men to be posted at his Majesty's Fort Wm & Mary to serve for one year from the 25th of March last.

Voted That the muster Roll of Capt John Cochran for soldiers posted at his Majesty's Fort William & Mary amounting to

	[£250 : 17 : 6 1-4
Sundry supplys	62 : 13 : 4 1-2
As marshall	6 : 12 :]
be allowed and paid	£320 : 2 : 10 3-4

[P. 128.] The house took into consideration his Excellency's message of the 5th Instant and

Voted the answer following, viz.

The House of Representatives wou'd gladly have taken your Exellency's message of the 5th Instant under their consideration, but were unexpectedly prevented by the departure of sundry members whose call home it was said was sudden & urgent. It having long been an established rule of the House not to reconsider any subject by a number less than that Present when it was first opened, the house therefore consider it a matter of necessity to Defer the consideration of this Point, and the rather as they conceive it would be more agreeable to your Excellency to have the Result to be the determination of a full than of a thin house, whose Resolves & conclusions might be suspected of & charged with Partiality & friendship rather than the effect of Deliberate & careful examination. Upon these motives the House have suspended the Issue of this affair until their next meeting when they suppose business will be more generally attended, that they may in the mean time learn the sentiments of their constituents on the subject, which conduct the House hope will meet with your Excellency's approbation.

Signed, JOHN WENTWORTH, Speaker.

Voted and sent pr Mr. Alcott & Dr. Thompson.

NOTE BY THE EDITOR.

The *Journal of the House*, appears not to have been kept at this time with exact order and regularity; the Message of his Excellency the Governor above referred to, is found recorded on page 130, and is as follows, viz.

Mr. Speaker and Gentlemen of the Assembly —

By the proceedings of the House I observe that the sum of £700 proclamation money has been voted as my salary for the Ensuing year. I have found this sum from the Experience of five years past very inadequate to the Express Intention of the grant, and that it is really so I am persuaded the House must be very sensible; nevertheless I have hitherto suspended to make any solicitations to the General Assembly for an augmentation to this sum, but I now think it incumbent upon me not to postpone this matter any longer, therefore lest it might be hereafter suggested that I neglected to apply for it, I take this opportunity of proposing to the House a competent provision for this Purpose as a measure that may prove to the Credit and also to the satisfaction of the Province as well as the Governor.

J'WENTWORTH.

Council Chamber
New Hampshire, June 5th 1772.

P. M.

Upon motion made the House took under consideration an Extract from the minutes of his Majesty's Council relative to a Petition signed by D. Peirce and others bro't down from the Hon^bl board accompanying the said Minutes Respecting a Road to be made from Conway to Connecticut River on the East side of the White Hills &c. Voted That the Petitioners have Liberty to bring in a bill for clearing & making Passable a Road from Conway to Connecticutt River on the East side of the White Hills &c. where said Road can be best made & to subject the Proprietors of the several Townships or Tracts of [land] already granted to clear & make passable said Road thro' their respective Townships or Tracts, & if said Road shall pass thro' any ungranted Lands the Proprietors of Lancaster Northumberland & Shelburne may cause the same to be cleared & made passable at their own cost & charge & render an acc^t of the cost thereof to the Gen^l Assembly which acc^t being allowed the grantees of said lands or those who shall hereafter have the same said Lands shall pay to said Lancaster Northumberland & Shelburne their part of such acc^t in proportion to the part they shall obtain of such lands thro' which said Road shall run. Sent up by Capt. Carlton. [Concurred.]

June 10th.

The Salary for the Judges of his Majesty's Super^r Court being considered,

Voted that there be allowed & paid unto the Justices of his Majesty's Sup^r Court of Judicature for their services for the term of one year commencing on the 19th day of March, as follows, viz.

[P. 129.] To the Chief Justice the sum of sixty five pounds Proclamation money & to each of the other Justices the sum of sixty pounds like money to be paid out of the money that is or shall be in the Treasury, in two half yearly payments, by a Warrant from his Excellency the Gov^{r} with advice of Council. Sent up by Deacon Knowles. [Concurred.]

The Report of the Com^{tee} relative to the Counties of Strafford & *Cheschire* being bro't down from the Hon^{ble} Board yesterday with the following Vote of Council, viz. Read and non-concurred and adhered to the former vote: The house took the said vote under their consideration, and Voted that they adhere to their former vote of the 10th Instant.(1) Sent up by Col. Gage & Maj. Wright.(*a*)

(*a*) Jour. C. & Assem. June 8, 1772. The Council upon considering the Report of the Com^{tee} appointed to consider of his Excellency's Mess^{a} about the Counties of Strafford and *Grafton* sent down to the Hon^{ble} House for their concurrence, a vote for establishing the Courts and the times and places for holding them in the said Counties.

June 11th.

The acc^{t} of Stephen Hardy for sundries supplied made to the Indian man lately here was offer'd for allowance & payment,

Voted that it be dismissed.

The Secretary bro't down to the House the vote of the Council for inquiring into the State of the Lottery for New Market Bridge, Concurr'd & Col^{o} March appointed by the House to join wth the Com'tee of Council for that service. (*a*)

(*a*) Jour. C. & Assm. June 11. His Excellency laid before the Board the State of New Market Bridge, recommending that the undertakers to build the same, be called to acc^{t} with the Gen^{l} Assembly for the monies produced by the Lottery granted by the Gen^{l} Assembly for that purpose, & to know what Expenditures have been already made & why the said Bridge is not finish'd: The Council upon Considering the same, appointed the Hon^{o} Mr. Waldron to join such as the Hon^{o} house should appoint to make such Enquiry. Sent down by the Sec^{y}.

[P. 130.] P. M.

Voted That there be paid to Joseph Pattinson two pounds seven shillings & two pence L money for his account for taking up & committing to Goal one Mary Harford for the murder of one Wm. Ward. Sent up by Capt. Carlton. [Concurred.]

Whereas a Com^{tee} were appointed in May last to view Fort William & Mary & to consider what repairs are necessary to be Immediately made & where a Magazine for keeping the Powder

(1) Neither the Report of the Committee, nor vote of the House on the 10th Inst. relating to this matter, is found on record.—Ed.

may be built with safety have on the 8th of June Instant made their Report which has been accepted.

Therefore Voted, That John Sherburne & Jacob Sheafe Esq. be a Comtee of this house to join with such as shall be appointed by the Honble his Majesty's Council to cause said Repairs to be made agreeable to said Report and that they be authorised to draw money not exceeding the sum of one hundred pounds out of the Province Treasury by warrant from his Excellency the Govr with advice of Council for that purpose and that the said Comtee be & hereby are authorized to build the Magazine for keeping the Powder agreeable to said Report, Provided the Powder money belonging to the Province be applyed for the building said Magazine.

Saturday 13 1772.

The vote passed the 11th of June Instant relating to Repairs of the Fort bro't down from the Board: & Thos. Bell Esqr voted a Comtee to join with the Comtee appointed by the Board to carry the Report of the Comtee into execution.(a)

(a) Votes, petitions, Accts &c. passed on by the House and concurr'd by the Council from June 1st to 13th, 1772.

Jour. C. & Assm. Acct of Comtee for printing the new Law book including printing bill, allowed £200: 5, and £27 to the Committee. (1)

John Marshall for repairs to the Castle barge, allowed £9: 18: 4.

On hearing the petition of inhabitants of Goffstown, relating to irregularity of town meeting,— a new meeting to be called & Col. Goffe to preside.

Sarah Mason's petition that a certain deed which she had made to her daughter Mary Dino, widow may be set aside — hearing granted.

Samuel Hale jun. petition, that the Infr Court might enter up Judgment on certain notes of hand &c.— liberty to bring in a Resolve.

Richard Jenness' acct for wood allowed £7.

Samuel Gerrish' acct for boat hire to carry members of the house on the King's birth-day, allowed £2: 2.

Bill for dissolving the marriage of Eliphalet Potter — passed.

William Frost allowed pay as a member of the House, 1744–5 £4: 10 in full.

Joseph Simes for painting & glazing, at the Fort and Court House allowed, £10: 13.

Acct of Eliphalet Daniels, in full of all demands against the province up to the time of Division into Counties,— allowed £9: 6: 8.

Zachariah Foss, as pilot of the sloop Abigail in the Louisburg expedition, 1744, allowed £15.

Richard Jenness & John McDuffee, allowed £36, for looking out a Road from Durham to Cohass.

George King Depy Secy allowed £10 half yearly for increase of service, by dividing the Province into Counties.

Eleazer Russell, allowed £4: 19: 9 for postage on Governor's letters from Jany 10 to June 10th 1772.

John Sparhawk, for binding books, for stationary, &c. allowed £7: 3.

(1) One copy of this edition of the Laws of the Province, 1771, may be found in the State Library, and also a copy in the Library of the N. H. Hist. Soc.—Ed.

Council voted that all the Courts for the County of Strafford be held for the term of 7 years at Dover, and afterwards one-half of them at Wolfeborough: concurred by the house, with amendment, That after 7 years held at Dover, "one half the Courts be held at some other place as the Gov^{r} and Assembly shall then direct and order."

Col^{o} Warner's acc^{t} for supplies to the Province, balance allowed £8:1:7 1-2.

Daniel & Robert Fowle's acc^{t} for binding 104 law books, allowed £23:8.

His Excellency the Gov^{r} was pleased to consent to the following bills passed this Session, viz

1. An Act to revive and continue in force sundry Acts expired or near expiring.
2. An Act to annex part of the town of Hopkinton to the County of Hillsborough.
3. An Act to erect a certain Tract of Land, in the County of Hillsborough, called New Boston-Addition and part of the Society Land, into a Township by the name of Frances-Town.
4. An Act for granting unto his most excellent Majesty the sum of Two Thousand pounds for the use and purposes therein declared.
5. An Act for clearing and making passable a Road from Conway in this Province to Connecticutt River on the East side of the White hills. (1)
6. An Act for assessing the Lands in Rochester towards repairing the Highways running through said town.

His Excellency was also pleased to pass the several votes of allowance for the respective officers of Government bro't up this Session, the Treas^{er} Acc^{ts}, the Fort Muster Roll, and sundry other accounts and allowances.

His Excellency thereupon asked the advice of the Board whether he should issue his Warrants on the Treasury for the respective Sums granted upon such Acc^{ts} and allowances, to which the Council did consent and advise.

June 13th 1772.

His Excellency was this day pleased to adjourn the Gen^{l} Assembly of this Province to Thursday the 23^{d} Day of July next at 10 o'clock A. M.

Adjourned by the Governor's several Proclamations from Time to Time till the 24th of November next.

(1) The above said Bill may be found recorded in full in "Record of Acts, 1766–1779," p. 176, in Secys. office.—Ed.

[P. 132.] *A List of Towns, &c. and of Members in General Assembly in Session from November 24th, 1772, to February 10th, 1773.*

Towns.	Members.	Travel.	Days' attende.	Certified.
Somersworth	John Wentworth, Esq. Speaker	19	32	£11: 17: 10
Portsmouth	Wm. Parker		34	Cert.
	John Sherburne		35	Cert. 10: 10
	Jacob Sheaff Esq.		33	
Dover	Otis Baker	14	24	8: 19:
	John Gage	14	28	10: 3:
Hampton	Christ'r Toppan, Esq.	14	34	10: 14: 10
	Josiah Moulton	14	32	11: 7:
Hampton Falls	Jona. Tilton	18	31	14: 5:
Exeter	John Giddinge	16	29	
	John Phillips	15	33	
New Castle	Thomas Bell, Esq.	8	24	
Rye	Rich'd Jenness	8	34	
Kingston	Josiah Bartlett		27	10: 2: 8
Newington	Rich'd Downing	5	35	28: 5: 6
Stretham	And: Wiggin	12	33	11: 13:
Londonderry	Steph: Holland	38	19	
Greenland	Clem't March	5	34	10: 7:
Durham	Eben'r Thompson	16	33	12: 1: 4
New Market	Israel Gilman	17	34	12: 8: 2
South Hampton	Eliph't Merril	25	29	11: 4: 10
Chester	Jno. Webster Esq.	35	17	
Plastow & Hampstead	Jno. Carlton	30	32	12: 7:
Atkinson, Salem & Pelham	Joseph Wright	42	28	10: 15: 6
Hollis	Sam'l Hobart	16?	22	26: 14:
Merrimack & Monson	John Chamberlain	52	26	10: 1: 8
Nottingham W., Litchfield	Ja. Underwood	50	29	11: 4: 10
Kensington	Benja. Rowe, Esq.	20	17	
Rochester	Ja. Knowles	22	27	9: 15: 2
Barrington	Sam'l Brewster	22	30	11: 8: 4
Amherst & Bedford	Jno. Goffe, Esq.	56	31	11: 19: 4
Winchester	Josiah Willard	110	16	7: 19: 10
Kene	Benja. Hall	95	21	Cert. 12th Feb. 1774.
Charles Town	Simeon Alcock	120	17	8: 10:

November Tuesday 24th.

At a session of the General Assembly begun the 24th November 1772 & continued de die in diem till the Tenth Day of February then next following when it was Prorogued to the 11th Day of May 1773, then to meet at Portsmouth ten o'clock.

[Of his Majestys Council, present His Excellency the Governor.

Theodore Atkinson, Dan[l] Warner, Daniel Peirce } Esq[s].

Jon[a] Warner, George Jaffrey, Daniel Rogers, Peter Gillman } Esq[rs].]

1772 November Tuesday 24.

There being but few members present [adjourned from time to time,] till

1773 Tuesday January 5, A. M.

In the afternoon of this day there being nineteen members present Mr. Sherburne Rich[d] Jenness & Dr. Rowe waited on the Gov[r] to inform him there were members Enough Present to make an house. Then the house adjourned to tomorrow ten o'clock.

Wednesday 6.

Mr. Warner & Mr. Rogers came from the Board & bro't the Governor' Message to the house which was as follows, viz.

Gentlemen of the Council &
Gentlemen of the Assembly —

As I have the pleasure to inform the house that nothing unusual has taken place in the Province since their adjournment It is in course to suggest the Effectual consideration of the business enter'd upon before your recess.

I have also to recommend that such Laws as are expired or near expired & have been found useful may be re-enacted, and such others be provided as the exigencies of the Province require. It is to be wish'd that frequent complaints of counterfeit Silver & Gold specie did not compel me to think some Law for the Punishment of such Crimes is necessary to the safety of every individual, this will bear upon a view of the Penal Laws which will also suggest the Propriety of Ascertaining those fines in Proclamation currency that are not already done, it is peculiarly requisite in the Militia Laws, indeed it is but mere Justice due to those officers who have meritoriously exerted themselves in reviving a military Discipline much to their honor and less to the credit of the Province.

Gentlemen of the Assembly —

The Treasurer is directed to prepare the Provincial Accounts for Inspection of the Assembly from whence they will more properly judge of the sum necessary to be granted for the support of Government the ensuing year which I recommend to your Liberal Determination in such time as to prevent the necessity of incurring the expence of a Spring Session. The very happy State of this Province in respect to their Perfectly Inconsiderable Taxes and the absolute necessity of providing a convenient House for my residence which hitherto I have wanted constrain me earnestly to move the Assembly to take Effectual measures for building a Province House in which the Governor can reside with comfort to himself and Respect to the Government.

J' WENTWORTH.

Council Chamber, Portsmouth
New Hampshire January 5, 1773.

[P. 135.] Voted That the Speaker, the Clerk of this house, Col[o] Phillips & Mr. Sherburne be a Committee to answer the Governors Speech to the House.

Voted That Col[o] Phillips John Giddinge Dr. Thompson & Dr. Bartlett Esqr[s] be a Committee to Inquire what Tem*pory* Laws are expir'd or near expiring and make Report & what Laws may be alter'd to advantage & what new ones are necess[y], as soon as may be.

Thursday 7th.

The Deputy Secretary bro't in Capt. Cochran's Acct relative to the supply of Oyl to the Light House with a Letter to his Excellency from said Cochran on the State of said house.

P. M.

An answer to the Govrs message was this day agreed on & sent to his Excellency which was as follows, viz.

May it please your Excellency —

The House of Represents have considered your Message of yesterday with your Excellency's Recommendation of the matters proposed to their attention at Present.

Laws being the Rule of the behaviour of every Individual in Society cannot be neglected or slightly attended to by those who have cognizance of their frame & existence without the most blamable conduct as the contrary demonstrates a Different conduct both useful & commendable.

The house have resolved to consider of a Law proper to Punish the counterfeiting the current coin of the Province as a fact most Detrimental to Government in General & to every Particular Government where it is Practiced & every Individual in it, as also to consider the Penalties proper for the Militia Laws to Encourage that honble & useful Act.

The House would observe that finishing the Public business so as to Prevent a Spring Session tho' very desirable they cannot think it Practicable.

The House beg leave further *further* to observe to your excellency that tho' the Province's Tax is not very high, yet the Tax upon the whole Including County, Town & Parish which must be paid by the People cannot be deemed Inconsiderable. However they will consider all matters comprehended in your message with that attention & dispatch the nature of the affair & their attendance on other necessary business will admit.

Prov. of New Hampr } In the house of Representatives January 7th 1773,

[Voted] That the above written draft be sent to his Excellency the Governor as an answer to his message of the 5d Instant.

J. Wentworth, Speaker.

[p. 136.] Fryday 8th.

Voted That John Sherburne Christopher Toppan with Dr. Giddinge & Dr. Thompson Esqs be a Comtee to draw up a Schedule of what shall be deemed Rateable Estate to be sent to the several Towns in order to a new proportion.

Jour. C. & Assm. Nov. 8. The petition of William Simpson et alii in behalf of sundry the inhabitants of Orford setting forth that they are of the Church of England Establishmt & therefore Praying that their land in said Town of Orford may not be taxed to the support of a minister of any other Profession, being read at the board was sent down to the Assembly.

The petition of William Simpson &c. read and ordered to lay for consideration.

Wednesday 13th.

Mr. King bro't from the board a Petition of Sundry Inhabts of Portsmouth agst allowing theatrical exhibitions, which being read, Voted unanimously that the Prayer of said petition be granted & that the Petitioners have leave to bring in a Bill accordingly. Sent up by Richd Jenness Esqr.

The petition of sundry of the Inhabitants on Connecticutt River for an highway from Dover to Cohass was read.

Thursday 14th.

Voted That Colo Phillips Richd Jenness Mr. Knowles Major Hobart be a Committee to consider of the petition of the People on Connecticut River about an highway.

Monday 18th.

The Depy Secy bro't down the report of the Comtee about the Counties of Stratford & Grafton & the petition of Messrs Fowle about taking amt of Law books.(a)

(a) *Jour. C. & Assm.* 18th Jany. The petition of Daniel & Robert Fowle setting forth that they should be great losers by Printing a new Edition of the Province Law book unless the Province will take 130 more of the said books &c. Read in Council & sent down to the Assembly recommended.

20th. The Petition of Alexander Phelps & Israel Morey Esq. As agents for the Townships of Lime & Orford praying that one or the other of said Towns may be the Place where half the Courts of Record in the County of Grafton may be held. Which was read at the Board & sent down to the Assembly.

22d. The Petition of John Hurd Esq. as agent for the town of Haverhill, Bath, Lime & Gunthwait (1) praying that Haverhill may be the shire Town in the County of Grafton, Read & sent down.

The Petition of Jonathan Moulton & Jos. Moulton in behalf of the Proprietors of Orford praying that the 2d pr acre on the Lands in said Orford may not be granted as asked for, for reasons assigned, which was read & sent down to the House.

Tuesday 26th.

[P. 138.] The House took under consideration the Petition of Alexander Phelps & Israel Morey & the petition of John Hurd Esq. relative to the place of fixing the Courts in the County of Grafton and after hearing thereon the House adjourned to three o'clock P. M.

(1) This town was about 25 miles from Haverhill; bounded by the Amonoosuck river on the West, afterwards called Concord, but now called Lisbon.—Ed.

Wednesday, 27.

The Petition of Matthew Thornton and others was bro't down by the Sec^{y} as also the petition of Brackinredge bro't down.(*a*)

(*a*) *Jour. C. & Assm.* Jan. 27. A Petition signed James Brackenridge as agent for the Inhabitants of a number of Townships situated in the Western side of Connecticutt River formerly belonging to this Government now under New York, Praying a Pecuniary grant to assist the said Brakenridge in representing to his Majesty the distressed state of her subjects inhabiting those Townships &c. which was read & sent down to the House.

The petition of Matthew Thornton & others Praying that the Towns of Londonderry, Wendham, Pelham, Salem, Pembrook & Concord may be taken off from the County of Rockingham & annexed to the County of Hillsborough, was read at the board & sent down to the House.

In the House of Representatives Jan^{y} 27th 1773.

Considering the circumstances of the County of Grafton, Voted that there be held in said County four courts of General Sessions [p. 139.] of the Peace on the third Tuesdays of October, January & July annually all which with the other Courts & times & Places for holding of each passed into an Act were particularly set forth in the Act as in this vote. Sent up by Col. Goffe. [Concurred.]

Fryday 29th.

The Dep^{y} Secretary bro't down a message from his Excellency the Gov^{r} Recommending to the house to grant an allowance to the President of Dartmouth College.

Governor's Message.

[Copied from page 143 of the *Journal of the House.*]

Mr. Speaker & Gentlemen of the Assembly —

The Justice due & regard I entertain for the Honor and Prosperity of the Province wou'd be neglected by me in one of its greatest Interests if I should suffer this Session to be passed without recommending to your consideration to provide some aid for the support of Dartmouth College: An Institution that highly merits your warmest Protection because Virtue and Learning are the care of good Legislators. The Rev^{d} & worthy President whose time & zeal is devoted to your lasting good Daily experiences the want of a support; I am convinced that no expenditure would be more useful to the Public than a grant for this purpose. Surely none can be more agreeable to a People professing Christianity & Zealous for its Preservation among the remotely settling Brethren or its extension to unenlightened Heathen natives of the Land.

J'WENTWORTH.

Council Chamber
29 January 1773.

P. M.

On reading the account of Dan^{l} & Robert Fowle,

Voted That Dr. Thompson Dr. Giddinge & Major Hobart be a Com^{tee} to consider thereof

Upon a representation of the Difficulties the American Colonies Labour under and upon a Motion made that Lord Dartmouth one of his Majesty's Secretaries of State be addressed thereon, Voted That Mr. Speaker Mr. Parker Col^{o} Phillips Col^{o} Toppan Capt. Gidding & Mr. Sherburne be a Com^{tee} of the house to draw up an Address to the Right Hon^{ble} the Lord Dartmouth & Present to the House accordingly as soon as may be. (*a*)

(*a*) Jour. C. & Assm. Jan. 29, 1773. Mr. Knowles from the house bro't up a resolve That the Clerks of the respective Courts in the County of Rockingham from whence Processes are issued commending the officers to commit the Person or Persons in their custody, to alter the form of such Process so far as to order the commitment to be made to the Prison in Portsm^{o} or Exeter in s^{d} County as heretofore they used to be to his Majesty's goal in Portsm^{o}, and that the Sheriff of the said County may for the safer custody of any Prisoner in his custody or other convenience remove him or her from one Prison to another, and further that the same rule & Directions may be observed by the Clerks & Sheriffs of any other Counties in this Province having more Prisons than one. [Read & concurred.]

(*b*) Col^{o} Holland from the house bro't up the Petition of Matthew Thornton & others as entered the 27th Instant for taking off some Towns therein mentioned from the County of Rockingham & annexing them to the County of Hills*bury* with a vote of the House theron for a hereing &c. [Read & non-concurred.]

Saturday 30th.

Voted That the Corresponding Com^{tee} be desired to purchase an Iron Chest for the Prov^{e} use (1) and also the measures wanting, viz. a Gallon & half gallon for the use of the Province & Draw on the agent for the pay thereof. Sent up by Mr. Alcock. [Concurred.]

P. M.

The Dep^{y} Sec^{y} bro't down a memorial of Dr. Wheelock, read & ordered to lay for consideration. (*a*)

(*a*) Jour. C. & Assm. Feb. 1, 1773. The memorial of the Rev^{d} Doctor Eleazer Wheelock Praying to be Empowered to set up a Lottery for the Benefit of Dartmouth College &c. read at the board & sent down to the house.

[P. 140.] Thursday 4th February.

The address of the Earl of Dartmouth prepared was read & voted to be sent to him & committed to the care of John Sherburne Esq. for that purpose. The address was as follows, viz.

(1) Which will contain ten thousand dollars. [*Jour. C. & Assm.*]—Ed.

May it Please your Lordship —

By this humble Address of his Majesty's Loyal & dutiful Assembly of the Province of New Hampshire at their first session since your appointment to the hon^bl & important Station of Secretary of State for his Majesty's Colonies in America.

We beg leave to present our congratulations & express the Pleasure it gives us that your Lordship is called to this high office so nearly connected with the Interest of America. Altho we have the like Expectation from an event so auspicious as our Sister Colonies in America & in which we wish to share with them having the same General connections & Interest,

Yet we particularly implore your Lordship's Patronage for the Good People we Represent and Especially for our new Establish'd Seminary of Literature to which we hope if your Lordship condescends to be a nursing father it will soon be a diffusive Blessing and thereby in some measure merit the exalted name of Dartmouth College.

From your Lordship's well known affection for the British Constitution We presume it will be agreeable to your Lordship to be acquainted that it is our firm belief there is scarce an adult born in this now growing Government but rejoices in the reflection that our King is a Protestant of the Illustrious House of Hanover whose concern for the good of their subjects has ever been conspicuous from the first of their advancement to the throne of the British Empire to this time, an Instance of which we Enjoy in his Majesty's Appointment of our Present Governor, whose administration of the affairs of this Province has been to the general Satisfaction of the People.

We would not presume to intrude on your Lordship's time with a Disquisition of American Affairs, but while we deprecate its Disquietudes we also do the causes thereof and are morally sure on the removal of one the other would immediately cease.

For a critical examen of which and the effecting so salutary an End we trust God of his infinite mercy inclined our most gracious Sovereign to exalt your Lordship to the Department you now fill.

We beg leave to add that it is our Earnest Prayer that the Divine Blessings may always be granted to rest on your Lordship and that we are your Lordships most Dutiful and obedient

[P. 141.] Humble Servants,

J. WENTWORTH, Speaker.

Province of New Hampshire } February 5th 1773 by order of the House of Representatives.

To the Right Honorable the Earl of Dartmouth.

The House on this day Petitioned the Gov^r for a recess, which see at the end of the Journal of this Session, p. 143.

Petition of the Assembly to the Governor

May it please your Excellency —

The House of Reprentatives have been constantly setting as your Excellency well knows from the fifth of Jan^y last to this day, during which time they have diligently attended the business in which they have been engaged & given it all the dispatch which cou'd reasonably be expected considering the Nature and method of Transacting such affairs, where every one has a right to be heard & give his opinion in the minutest Matters, notwithstanding which & the Interruptions occasioned by Private Petitions & other affairs, they have passed sundry Laws Acts of considerable consequence such as the Direction for taking Inventories of Estates in order for a new Proportion and valuation Act which unavoidably took up much time besides several other Acts necessary for the administration of Justice.

The Present Session proving so favorable for managing County business & so many of the members being concerned therein they cannot give that at-

tention that is necessary to the Discharge of the Publick Business, Wherefore the House beg leave to Postpone the other matt^rs Recommended by your Excellency till the next session of the Assembly as by the adjustment of the Public acc^ts which will then of course be exhibited & the usual grants & Demands on the Province made, so that the House will be able to know the state of the Province Treasury & what a charge the People are able to bear, add to this the Com^tee appointed to find a suitable place to build a Province house and to make an estimate of the costs thereof, and then to make Report which will enable the House to judge with more Precission what is their duty in the matters before them. Whereupon they humbly move your Excellency for a Recess that they may attend their Domestic concerns which now takes up too much of their tho'ts to attend to the weighty matters Recommended by your Excellency to their consideration, but not yet determined — which granted they will esteem a great favor.

Province of New Hamp^r } In the House of Repres^ts Feb. 5^th 1773.

Voted That the foregoing Address be presented to the Governor.

J. Wentworth, Speaker.

A Petition was Preferred by Sam^l Webster & Edmund Noyce for a re-hearing of a cause tried on a Writ of Review at Exeter Supe^r Court in Sep^t last for that one of the Jury who tried the cause has declared since the trial that he did not agree with the rest to the verdict given: but it appearing this declaration has been made only since the Court, was equally known then & not discovered by the Juror now Pretending to be dissatisfied, when he agreed with the rest in Open Court, it was tho't it would be of dangerous consequence to grant a new Tryal after a Review & the Jury had been on the spot and therefore the Petition was dismissed.

Saturday 6^th.

Province of New Hamp^r } In the House of Representatives February 6, 1773, Voted that the Hon^bl Tho^s Westbrook Waldron be & hereby is appointed Recorder of Deeds and Conveyances of Real Estate in the County of Strafford until the tenth day of May next & until the 10^th day of the sitting of the Gen^l Assembly next after the expiration of said Term and that he shall not be Qualified to act as Recorder until he hath given bond with sufficient sureties jointly & severally in the sum of two thousand pounds Lawful money unto the Hon^bl John Wentworth Esq. Speaker of the house of Representatives or the Speaker for the time being and taken oath for the faithful discharge of said office and that the Hon^bl John Wentworth Esq. Otis Baker & Eben^r Thompson Esq^rs be a Com^tee they or the major part of them to take the books belonging to said Office of Recorder into their custody in case of the Death or incapacity of the recorder or on the expiration of the term above mention'd & them safely keep until further order of the General Assembly & that they be under oath

for the faithful discharge of their Trust. Sent up by Col° Toppan. [Read at the Board & concurred & assented to by the Governor.]

Voted That John Hurd Esq^r^ be and hereby is appointed Recorder of Deeds & Conveyances of Real Estates in the County of Grafton, [for like time & like conditions as above — Alex^r^ Phelps Esq^r^ David Hubbard & Charles Johnson Com^tee^ &c. [Concurred.] (1)

[P. 142.] Tuesday 8th.

Voted That all the Laws now in force in this Province not already Printed be printed as soon as may be at the charge of the Province & that a set of them (2) be prepared to go with each Law Book & that Wm. Parker, Esq^r^ be a Com^tee^ of this house to join with such as the Hon^bl^ the Council shall appoint to carry this vote into Execution. [Concurred and the Hon^bl^ George Jaffrey, added.]

Wednesday 10th.

A vote for printing all the Laws as above passed into a vote & sent up by Wiggin.

The Sec^y^ bro't down a Vote to Print 100 copies of the Act ag^st^ killing Deer at unseasonable times & ordered to be sent to the Towns where Deer was to be found or might Probably be taken. Sent down from the Council & concurred by the House.(*a*)

(*a*) Votes, acc^ts^, petitions, bills, &c. passed on by the House and concurred by the Council from Jan^y^ 5th to Feb^y^ 10th, 1773.

Jour. C. & Assm. Petition of inhabitants of north east part of Canterbury to be set off as a distinct Parish (Loudon), leave to bring in a bill.

Petition of Theophilus Dame as guardian to Benjamin, John & Susanna Odiorn, to sell a certain house & lands, &c., leave to bring in a bill.

An act to dissolve the marriage of Eliphalet Pattee of Chester, with Abigail his wife, passed.

Vote appointing a Committee to look out a proper place to build a Province House for the Governor, &c.

Acc^t^ of Com^tee^ to repair the Fort Wm. & Mary, and to build a Powder Magazine, allowed £34: 2: 11 L. M.

Petition of inhabitants of Francestown to tax unimproved lands, hearing granted.

Acc^t^ of John House & others for surveying a road from Dartmouth College to Plymouth, allowed £10 in full.

Acc^t^ of Samuel Tillotson for apprehending one Joshua Pool for counterfeiting money, allowed £3.

(1) In *Journal of the House*, "a few members attended but not enough to make a house," adjourned to Tuesday 8, "then chose the Recorders of the new counties."—Ed.

(2) "That 250 setts be prepared to go with the Law books." *Jour. C. Assm.*—Ed.

Petition of inhabitants of Long Meadows in Chester, to be sett off a distinct Parish, hearing granted.

Acc^{t} of Noah Parker for a Stove for the Assembly room, allowed £11: 7.

Petition of William Nevins obliging the Towns of Hollis & Dunstable to build a bridge over Nashua river, hearing granted.

Vote directing the Treasurer of the Province to exchange any Paper Bills in his hand, for Lawful money, &c.

Petition of Sarah Sherburne guardian to her children Dorothy & Hannah Sherburn, for leave to sell their part of real Estate, leave to bring in a bill.

Petition of Richard Jennes & Tho^{s} Simpson as Com^{tee} of Deerfield, that a tax may be laid on all the lands there for "building a Parsonage for their minister," repairing highways, &c., hearing granted.

Acc^{t} of Daniel Tillotson for a further allowance for apprehending Joshua Pool, allowed £3: 6 more.

Acc^{t} of Daniel Rogers & John Sherburne for repairing the State house, allowed £56.

Acc^{t} of Theodore Atkinson, for charge of a green cloth for covering the table in the Council Chamber, allowed £6: 5.

Acc^{t} of Daniel & Robert Fowle for printing, £20: 12: 6, allowed £19: 8: 6.

His Excellency gave his assent to the following Bills as past by both Houses, viz.

A Bill intituled an Act for the Paym^{t} of £40 by the Town of Dover to sundry Persons for building a Bridge in said Town.

A Bill intituled an Act impowering Sarah Sherburne of Portsm^{o} in the County of Rockingham & Prov^{e} of New Hampshire wid^{o} as guardian for Two of her daughters Dorothy Sherburne & Hannah Sherburne minors under the age of Twenty one years to sell said minors shares in the real Estate of their Father Henry Sherburne late of s^{d} Portsm^{o}. Esq. deceased Intestate.

A Bill intituled an Act to Establish an equitable method of making rates & Taxes and determining who shall be legal Voters in Town affairs.

A Bill intituled An Act enabling Theophilus Dame of Portsm^{o} in the County of Rockingham and Province of New Hampshire, Esq. as guardian of the Children of Benj^{a} Odiorne deceased, to sell their right & Interest in a certain House & Land in s^{d} Portsm^{o} for their support.

A Bill intituled an Act to set off part of the Town of Canterbury into a distinct Parish by the name of Loudon.

A Bill intituled an Act to continue in force an Act made in the seventh year of his Present Majesty's Reign Intituled an Act for ascertaining the Excise Granted on Spirituous Liquors retailed in this Province by an Act passed in the fifth year of George the Second in Lawfull money & for Preventing fraud and Deceit by avoiding a Discovery of what is retailed & inforceing a Due & Regular Payment of such Excise with the form of an Oath to be administered to those who have Lycence.

A Bill intituled An Act for reviving & amending an Act Passed in the Eighth year of his Present Majesty's reign intituled an Act in amendment of the Acts for establishing Fees belonging to the several officers in this Province.

A Bill intituled An Act for fixing the Times & Places of holding Courts in the Countys of Strafford & Grafton.

A Bill intituled a Act in addition to & for the amendm^{t} of the several Acts of this Province for establishing a Light to be kept at his Majesty's fort Wm. & Mary, for the benefit of vessels arriving at or being near this coast in the night time.

His Excellency was pleased to Prorogue the General Assembly to Tuesday the Eleventh Day of May next, ten o'clock, A. M.

[p. 144.] NOTE. — On marginal page 144 is a List of Towns and Names of Representatives therefrom, the same as at the previous session, p. 310, except that Amos Seavey is Representative from Rye instead of Richd Jenness.—ED.

The King's Order in Council forbidding the Granting any more Lands.

[Copied from MS. "Addresses to the King, 1707–1775," in Secys office.]

At the Court at St. James's the 7th Day of April 1773.

Present

THE KING'S MOST EXCELLENT MAJESTY,

Lord President	Earl of Rockford
Earl of Suffolk	Earl of Dartmouth
Earl of Sandwich	Lord Mansfield.

Whereas it has been Represented to his Majesty that the State and condition of his Majesty's Colonies and Plantations in America, do both in justice and expediency require that the authority for granting Lands contained in the Commissions and Instructions given to his Majesty's Governors in the Plantations should be further regulated and restrained, and that the grantees of such Lands should be subjected to other conditions than those at present prescribed in said Instructions: His Majesty having taken the same into his Royal Consideration, is pleased with the advice of His Privy Council to order, and it is hereby ordered, That the Lords Commissioners for Trade and Plantations do take into their immediate Consideration the powers and authorities for granting Lands contained in the Commissions and Instructions to his Majesty's Governors in the Plantations, and that the said Lords Commissioners do represent to his Majesty at this Board, such alterations as they shall think fit and necessary to be made therein: And his Majesty is hereby further pleased to order, That in the mean time, and until his Majesty's further pleasure be signified, all and every his Majesty's Governors, Lieutenant Governors or other Persons in Command in his Majesty's Colonies in North America, who are Entrusted with the Disposal of his Majesty's Lands in said Colonies, do forbear upon Pain of his Majesty's highest Displeasure, and of being immediately removed from their offices, to issue any Warrant of Survey or to pass any Patents for Lands in the said Colonies, or to grant any Licence for the purchase by private persons of any Lands from the Indians without especial Direction from his Majesty for that purpose under his Majesty's signet or sign Manual, or by order of his Majesty in Privy Council, excepting only in the case of such Commission and Non-Commissioned officers and soldiers who are Intitled to grants of Land in virtue of his Majesty's Royal Proclamation of the 7th October 1763, to whom such grants are to be made and Passed in Proportions and under the conditions prescribed in his Majesty's said Proclamation.

STEPH. COTHELL.

[p. 246.] At a Session of the General Assembly begun & held at Portsmo the 11th day of May 1773.

P. M.

There being a House the Governor sent the following Message:

Gentlemen of the Council and of the Assembly —

Having nothing in command from his Majesty to communicate to you at this time & this being a very busy season of the year, I therefore only Recommend to your Effectual consideration the necessary supply for the support of

Government. The Treasurer is directed to lay before you the Provincial accounts from which you will readily determine upon the Provision requisite for the Ensuing year which I doubt not you will frame with such Wisdom Diligence and Dispatch as will Demonstrate your affectionate attachment to the united interest of his Majesty's service & the welfare of the Province.

J'WENTWORTH.

New Hampshire Council Chamber
May 11, 1773.

Wednesday 12th of May.

The House took under consideration the affair of Richd Jenness Esqr Whether he should be admitted to sit in this House considering the conviction agst him at the Supr Court last term. The Question was put whether the house wou'd consider it this afternoon or put it off for further consideration—

Voted That the house will Determine the affair before they go on any other business.

The House Voted that the crimes of which said Jenness was convicted Render him unfit to sit as a member of the Genl Assembly and that he be for said offences Expelled from this House & that a writ be issued for a new member to Represent the Town of Rye in the room of said Jenness.

Vote of Expulsion.

In the House of Represt May 12, 1773.

[P. 147.] Whereas Richd Jenness Esqr a member of this house, a Representative for New Castle & Rye, by Judgment of his Majesty's Supr Court of Judicature has been lately since his Election to serve as a Representative as aforesd convicted of forgery of Deeds of Conveyance of Lands as set forth in the Indictments to which the said Jenness pleaded Guilty & Judgment thereon was entered accordingly, whereby said Jenness has disqualified himself to sit as a member of this House,

Therefore Voted, That it is inconsistent with the Honor & duty of this House to permit him to continue in said Trust and that he be wholly removed & Expelled from his seat in this House, and he is accordingly hereby wholly expelled from the same, and that the Speaker of this House Issue a writ for a new choice of a Represente for New Castle & Rye as soon as may be. Which writ was issued the 13th of May accordingly.

William Parker, Cler.

[P. 148.] Wednesday 19th.

Voted That Dr. Rowe, Josiah Bartlett & Josiah Willard Esqrs be a Comtee to wait on the Govr with a copy of the vote of Expulsion of Richd Jenness Esqr from his seat in this house.

Tuesday 25.

An Act was read establishing a new Proportion.

The Sheriff made return of the Precept Directed to him to cause a new member to be chosen for New Castle & Rye, That he had pursuant to said Precept Issued a Precept to the Selectmen of New Castle & Rye to convene the Freeholders of said Towns for the above end, who return that Mr. Amos Seavey was Legally chosen to Represent said Township of Rye in the General Assembly at Portsmouth, upon which the House chose Col° Goff & Col° Bartlet to wait on his Excellency to inform him of said return.

Voted That Dan[l] Peirce Esq[r] be & hereby is chosen & appointed Recorder of Deeds & Conveyances of Real Estate & all other Instruments by Law to be recorded in said office within the County of Rockingham for the term of one year from this date & until the tenth day of the sitting of the General Assembly next after the Expiration of said term, &c. [on same conditions as before, see p. 237. The Speaker of the House, Jon[a] Warner, Dan[l] Rindge & John Sherburne, Esq. Com[tee] to take the Books, &c.]

Province of New Hamp[r] } In the House of Represent' May 25, 1773,

Voted That there be allowed & paid unto the Justices of his Majesty's Sup[r] Court of Judicature for their services for the term of one year, commencing the 19[th] Day of March 1773 as follows: To the Chief Justice sixty-five Pounds, equal to so much Proclamation money to be paid out of money that is or shall be in the Treasury in two half yearly payments by Warrant from his Excellency the Governor with advice of Council.

William Parker, Cler.

[P. 150.] Voted that Tho[s]. Westbrook Waldron Esq. be & hereby is appointed Recorder of Deeds & Conveyances of Real Estates & all other Instruments by Law to be recorded in said office within the County of Strafford, and so on in the case of the Recorder for the County of Rockingham, &c.

The same day John Hurd, Esq. appointed Recorder for & within the County of Grafton, Com[tee] Bezaleel Woodward, Esq. David Hobart, & Charles Johnson.

The same day Josiah Willard appointed Recorder for & within the County of Cheshire. Entered in the same form & words, mutatis mutandis, Com[tee] Eleazar Williams, Benj[a] Hall & Capt. Isaac Wyman.

The Dep[y] Sec[y] came into the House and acquainted the House that Mr. Amos Seavey was sworn in the usual form as a member of this House.

[P. 152.] May 27th, 1773.

In the House of Representatives, A Memorial was presented by the Trustees of Dartmouth College for a Grant of a sum of money to assist in erecting a new College;—

Voted That there be & hereby is granted to the Trustees for the use set forth in the Memorial, the sum of five hundred pounds Lawful money to be paid by bills of Exchange to be drawn on the agent of the Province in London, which sum of five hundred pounds shall be hereafter placed in the Treasury of this Province by a tax on the Polls & Estates within the Same as the General Assembly shall hereafter order. Sent up by Colo Phillips & Mr. Alcott. [Concurred.]

Fryday, May 28th 1773.

[P. 155.] Upon Reading a Petition of John Marcy & Ebenr Swan Praying Liberty to Erect a mill for Expressing Linseed Oyl & to exclude others in the Town of Walpole, granted that they have leave to bring in a bill according to their Petition. Sent up by Col. Goffe. (*a*)

(*a*) *Jour. C. & Assm.* Collo Goffe bro't up from the House the Petition of John Marcy & Ebenezer Swan for an exclusive Right to make Linseed oil in the County of Cheshire for 20 years to come with a vote of the House thereon for leave for the Petitioners to bring in a Bill for that purpose. [Concurred.]

(*b*) Collo Baker bro't up the Petition of Jno Gage Esq. et al. praying that the sum of £137 Lawful money may be paid by the County of Rockingham to the County of Strafford that Sum having been paid into the County Treasury of Rockingham by Strafford County before the latter was enabled to act, with a Report of a Commte of the House thereon, and a vote for bringing in an Act allowing the Sum of £100. Read & concurred.

May 29th 1773.

Voted that the Committee last appointed to get Laws of this Province printed be Impowered to get two hundred copies of each Publick act passed by the General Assembly during their present Session or that may be passed until the dessolution of the present Assembly printed at the publick expence and to Deliver one of each to the Town Clerk, or Selectmen of each Town in this Government that pays publick Taxes in the same. (*a*) [Concurred.]

(*a*) Votes, Accts, pititions, bills &c. passed on by the house and concurred by the Council from 11th to the 29th of May, 1773.

Jour C. & Assm. Petition of sundry inhabitants of Hampton Falls to set aside their annual town meeting, as illegal, &c. hearing granted.

Petition from Reuben Kidder & Jotham Blanchard for a Road from Charlestown to Amherst — hearing granted.

Petition from Proprietors of New Ipswitch to lay a tax on certain lands — hearing granted.

Petition of Daniel Merrill and Ebenezer Jaquith of Dunstable to be annexed to Holles — leave to bring in a bill.

Vote, That Dr. Tomson, Colº Phillips, Colº Holland & Colº Bartlett be a Comtee to overlook the Inventories and bring them into one form.

Petition of Richd Jenness, & Thomas Simpson of Deerfield for a tax of 2d per Acre for a parsonage house & land & for roads — hearing granted.

Petition from Frances-town for a Tax of a half-penny per acre on land "for the encouragement of the first gospel minister to settle among them," — hearing granted.

Petition of John Dudley that a Deed given by him to Simon Marston & Pattin Simpson may be declared null and void — hearing granted.

Petition from Comtee of the Western Parish in Londonderry for an Act "obliging every person in said Londonderry to support the Gospel only in the congregation to which he conscientiously adheres" — hearing granted.

John Quigley's acct. for taking inventory of Society Land, allowed £1: 15: 0.

Joseph Hemenway, John Mellen and James Reed for taking Inventory of Monadnock No. 4, allowed £1: 7: 6.

John Webster, Moses Garland & John Fifield, for taking Inventory of New Britain & Perry's town, allowed £1: 15: 0.

James Smith & David Steel for taking Inventory of Peterborough Slip, allowed £1: 1: 0.

Petition of Elkanah Day for Divorce from his wife Jane, for adultery with William Gleason — hearing granted.

James Stilson and Thomas Young, for taking Inventory of a Gore of Land adjoining New Durham, allowed £1: 15: 0.

Vote for Governor Wentworth's Salary one year £700.

Vote for Dr. Langdon, as Chaplain, 50s.

Vote for Dr. Haven, as Chaplain, 50s.

Vote for Rev. Mr. Brown, as Chaplain to the Council, 50s.

Vote allowing Hon. Theo. Atkinson, as Secretary £60.

Vote allowing Samuel Livermore, Esq. as Att. Genl £25.

Vote allowing Chief Justice of Supr Court, £65, and the other Justices £60 for one year salary, paid half yearly.

Vote allowing George King, Clerk of Supr Court £10, extra charge.

Vote allowing Gov. Wentworth, for one year's house rent, £100.

Report of Comtee for drawing bills of Exchange, accepted & Comtee discharged.

Acct of Eleazer Russel for Govrs postage, allowed £12: 13: 6.

f James Grouard for taking care of State House, allowed £5.

f Nathl Breed for taking Inventory of Monadnoc, No. 6, allowed

Doc. Hall Jackson for attending sick at Fort Wm. & Mary allowed

Daniel Towle for printing, allowed £17: 7.

Ricd Jenness & John McDuffee, allowed £36.

Richd Jenness for wood, £7: 14, allowed.

Selectmen of Rochester taking Inventory of Leavitts-town, and Middletown, allowed

Saml Livermore, Esq. for charges, allowed in full, £5.

ucker, for taking Invento noc, No. 5, allowed 15s.

d Selectmen of New Ca ation of soldiers attending

orship there, 50s in full.

ed Comtee for selling the

ed the Sheriff for

allowing John

he Treasury

f Comtee

8.

Allowed £250 for the support of Fort Wm. & Mary one year, to be paid quarterly.

John Pickering for drawing bills, allowed 22*s*.

Aaron Bull & Jesse Wilcox, for taking Inventory of Saville allowed 21*s*.

His Excellency was pleased to give his Assent to the following Bills, viz.

A Bill entitled an act for setting off a part of the town of Dunstable to the town of Holles — and annexing it to the town of Holles, &c.

A Bill entitled an Act for Dissolving the annual meeting of the Inhabitants of Hampton Falls and authorizing the holding a new meeting.

A Bill entitled an Act for making and establishing a new Proportion of the Province Tax, &c. and to authorize the Treasurer to issue his warrants for levying the same.

A Bill entitled an Act for granting unto his most Excellent Majesty the sum of two Thousand Pounds for the uses & purposes therein declared.

A Bill entitled An Act to prevent the Destruction of Salmon, Shad and other Fish in Merrimac, Pemigawasset & Winnipissaoke Rivers within this Province.

A Bill entitled An act in Addition to an Act to preserve Fish in Piscataqua River.

A Bill entitled an Act to remove any Doubts about the recording of Deeds & proving of Wills in the several Counties in this Province since the Division thereof into Counties, and for providing a further security of Persons Title to real Estates.

His Excellency was pleased to adjourn the General Assembly to Tuesday the 6th Day of July next at 10 o'clock A. M. and the Dep^{y} Sec^{y} was sent down to adjourn the House to that time.

[P. 156.] Province of New Hampshire.

The following is a List of the Rateable Estates of the several Towns as settled by the General Assembly for a new Proportion which each Town pays to a Thousand Pounds, May A. D. 1773.

COUNTY OF ROCKINGHAM.

Towns.	No. Polls.	Rateable Estates.	Proportion to £1000.
Portsmouth	682	£1200	£58: 2: 0
Hampton	192	299	14: 9: 0
Exeter	359	500	24: 4: 0
New Castle	137	120	5: 16
Rye	153	230	11: 2
Kingstown	208	299	14: 9
Newington	191	375	18: 3
Stretham	90	200	9: 13
Londonderry	475	739	35: 15: 0
Greenland	137	225	10: 17: 0
Newmarket	252	362	17: 10
South Hampton	100	161	7: 15
Plaistow	111	152	7: 7
Hampsted	139	200	9: 13: 0
Salem	227	300	14: 10
Pelham	138	198	9: 11
Chester	358	463	22: 8
Hampton-falls	119	225	10: 17
Nottingham	170	269	13: 0: 0
Brintwood	208	300	14: 10
Canterbury	133	172	8: 6
North Hampton	133	201	9: 14
East Kingstown	93	150	7: 5
New Town	121	143	6: 18
Kensington	163	290	14: 0: 0
Windham	76	107	5: 0: 0
Bow	64	68	3: 5
Epping	311	486	23: 10
Gosport			
Epsom	65	73	3: 10
Pembrook	155	200	9: 13
[P. 157.] Sandown	124	157	7: 12: 0
Hawke	87	150	7: 15: 0
Concord	205	283	13: 14
Candia	144	172	8: 6
Raymond	122	158	7: 13
Poplin	104	130	6: 5
Deerfield	199	237	11: 9
Atkinson	112	161	7: 15
Chichester	53	55	2: 13
Allenstown	40	50	2: 8
Seabrook	125	158	7: 13
Northwood	53	62	3: 0
Loudon	42	48	2: 6
Gosport			1: 7
Total Poles	7170	Total Estate £10,528	Total £510: 1: 0

COUNTY OF STRAFFORD.

NAMES.	No. Polls.	Rateable Estates.	Proportion to £100.
Dover	338	£530	£25: 13: 0
Durham	231	364	17: 12
Lee	177	254	12: 6
Somersworth	209	331	16:
Barrington	226	290	14:
Gilman Town	133	155	7: 10
Sanborn Town	70	76	3: 13
Rochester	301	388	18: 15
Madbury	147	230	11: 2
Barnstead	33	34	1: 12
New Durham	59	62	3:
Gore of land, adjo'g	19	22	1: 1
Middletown	44	38	1: 16
East Town (1)	63	56	2: 14
Leavitts Town (2)	24	24	1: 3
Wolf boro'	36	31	1: 10
Moultonborough	50	50	2: 8
[P. 158.] Sandwich	30	30	1: 9: 0
New Holderness	35	35	1: 13
Meredith	49	48	2: 6: 0
Campton	18	33	1: 12
Conway	20	20	0: 0: 0
Total poles	2312	Total R. Est ...3101	Total Tax. £148: 15: 0
Deduct Conway, being in Grafton Co.	20	Deduct.....20	
	2292	3081	

COUNTY OF HILLSBOROUGH.

Amherst	287	400	£19: 7: 0
Litchfield	63	110	5: 6
Boscawen	102	125	6: 1: 0
Bedford	105	150	7: 5: 0
Nottingham W.	123	175	8: 9: 0
Derryfield	50	75	3: 12
Goffstown	149	171	8: 5
Salisbury	83	100	4: 16
Peterborough	88	150	7: 5: 0
Dunbarton	88	109	5: 5: 0
Hopkinton	175	237	11: 9
Wilton	121	172	8: 6
Dunstable	112	190	9: 4
Peterboro' Slip	18	19	0: 18: 0
New Boston	77	90	5: 0: 0
Weare	150	180	9: 0: 0
Hollis	251	350	16: 18: 0
Hillsborough	43	44	2: 2
New Ipswich	169	270	13: 1
Merrimac	117	165	7: 19
Lyndborough	108	123	5: 19
Henniker	68	68	3: 5
Raby (3)	33	41	1: 19
Mason	103	110	5: 6
Temple	91	100	4: 16
Frances Town	43	42	2:
Society Land (4)	47	43	2: 1
New Almsbury (5)	43	40	1: 18
New Britain (6)	27	30	1: 9
Perry's Town (7)	12	9	0: 9
Mile slip (8) and Tewksbury Farms so called.	.....	.....	1: 6
Total polls	2946	Rat'e Est.....3888	£189: 16

(1) Now called Wakefield.
(2) Now Effingham.
(3) Raby, now called Brookline.
(4) Society Land, Deering, &c.
(5) New Almsbury, now Warner.
(6) New Britain or Breton, now Andover.
(7) Perry's town, now Sutton.
(8) Mile Slip, now Milford, &c.—ED.

[P. 159.] COUNTY OF CHESHIRE.

Towns.	No. Polls.	Rateable Estates.	Proportion to £1000.
Keene	150	£219	£10: 12:
Swanzey	100	140	6: 15:
Walpole	122	170	8: 4:
Rindge	157	155	7: 10:
Westmoreland	131	150	7: 5: 0
Winchester	130	170	8: 4: 0
Hinsdale	45	70	3: 7:
Gilsom	37	38	1: 16:
Cornish	41	50	2: 8:
Surry	47	55	2: 13:
Plainfield	61	71	3: 8:
Charles Town	128	190	9: 4:
Dublin	61	60	2: 18:
Claremont	80	90	4: 7:
Alstead	46	47	2: 5: 0
Marlow	46	47	2: 5:
Newport	35	41	1: 19:
Croydon	25	27	1: 6: 0
Acworth	28	30	1: 9: 0
Saville (1)	16	13	0: 12: 0
Unity	25	25	1: 4: 0
Monadnock No. 2, (2)	55	68	3: 5: 0
Monadnock No. 4, (3)	61	60	2: 18:
Monadnock No. 5, (4)	47	48	2: 6:
Monadnock No. 6, (5)	28	25	1: 4:
Limerick (6)	36	36	1: 14:
Chesterfield	146	140	6: 15: 0
Richmond	138	162	7: 16:
Camden (7)	40	40	1: 18: 0
Lemster	10	8	0: 7: 0
Total Polls	2052	Total Estate £2,445	Total £117: 14: 0

COUNTY GF GRAFTON.

[P. 160.] Haverhill	76	£100	£4: 16: 0
Plymouth	67	90	4: 7: 0
Lebanon	70	85	4: 2: 0
New Chester (8)	30	30	1: 9: 0
Hanover	77	76	3: 13: 0
Canaan	19	20	0: 19: 0
Cockersmouth (9)	20	17	0: 16: 0
Lime	61	64	3: 1: 0
Orford	46	48	2: 6: 0
Rumney	36	37	1: 15:
Piermont	30	28	1: 7:
Bath	27	27	1: 6:
Gunthwait (10)	10	10	9:
Lancaster	12	12	11:
Alexandria	11	9	8:
Northumberland	12	12	11:
Thornton	18	15	14:
Conway	20	20	19:
Lyman	6	6	5:
Total Polls	648	Total Estate £706	Total £33: 14:

(1) Saville, now Wendell.
(2) Monadnock, No. 2, now Dublin.
(3) Monadnock, No. 4, now Fitzwilliam.
(4) Monadnock, No. 5, now Marlborough.
(5) Monadnock, No. 6, now Nelson.
(6) Limerick, now Stoddard.
(7) Camden, now Washington.
(8) New Chester, now Hill.
(9) Cockermouth, now Groton.
(10) Gunthwait, now Lisbon. — Ed.

EACH COUNTY.

Towns.	Number of Polls.	Rateable Estate.	Proportion of £1000.
Rockingham	7570 (1)	£10,528	£510: 1: 0
Strafford	2292	3,101	148: 15: 0
Hillsborough	2946	3,888	189: 16:
Cheshire	2052	2,445	117: 14:
Grafton	642 (1)	686	33: 14:
			£1000:

Province of New Hampshire. In the House of Representatives, May 21, 1773. The foregoing calculation having been read & approved Voted that the proportion of the several Towns to the Province Taxes be established accordingly & that a bill be brought in for that purpose.

William Parker, Clerk.

In Council, eodem die, read & concurred.

Geo. King, Secy.

[p. 161.] *An Account of the Treasurer's Notes burnt the 29th of May* 1773.

No. 23,	£40: 10	41	£50:
42	54:	25	20:
20	5:	33	5: 18
45	14: 10	6	20:
44	6: 10	19	4: 8
24	23: 5	14	4: 0
1	130: 17		
			£378: 18

Province of New Hampr } In the House of Represents May 28, 1773, the House taking into consideration the Letters from the Comtee of Correspondence appointed by the House of Burgesses of Virginia, also a letter from the Speaker of the house of Deputies of the Colv of Rhode Island and Directed to the Speaker of this House, thereupon Voted and Resolved that this house heartily concur in sentiments with the house of Deputies aforesaid in said Letters Represented.

Resolved, That William Parker, John Sherburne, Jacob Sheaff, John Giddinge & Simeon Alcott be a Comtee of this house to consider of & prepare Answers to the Letters from Virginia & Rhode Island, lay the same before the house as soon as may be.

NOTE BY THE EDITOR.

The Letters above referred to have not been found on record or on file in the Secys office in New Hampshire; but as similar letters were addressed to "Sister Colonies" in America, it is presumed that those sent to New Hampshire were the same essentially, as the others. The editor therefore deems it proper to introduce the above said letters as copied from "Rhode Island Colonial Records, 1770–1776, Vol. VII," pp. 225–228, changing only the address — indicated by brackets.

(1) It will be perceived that there is a slight discrepancy between the aggregate as here given and that in the preceding castings.—Ed.

Letter from the Speaker of the house of Burgesses of Virginia to the Speaker of the House of Assembly in [New Hampshire.]

Virginia, March 19th, 1773.

SIR:— I have received the commands of this house of Burgesses of this Colony, to transmit to you a copy of the resolves entered into by them on the 12th instant, which they hope will prove of general utility, if the other Colonies shall think fit to adopt them.

They have expressed themselves so fully as to the motives that led to these resolutions, that I need not say any thing on that point; and shall only beg you will lay them before your Assembly as early as possible, and request them to appoint some of their body to communicate from to time with the corresponding committee of Virginia.

I am, with great respect, &c.

PEYTON RANDOLPH.

To the Governor of [New Hampshire.]

Extracts from the Journal of the Proceedings of the House of Burgesses, of Virginia.

"Friday, the 12th of March } 13th George III. 1773. }

Upon a motion made

The House resolved itself into a Committee of the whole House, upon the State of the Colony,

Mr. Speaker left the Chair.

Mr. Bland took the chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Bland reported from the Committee that they had directed him to make the following report to the House, viz:

'Whereas the minds of his Majesty's faithful subjects, in this Colony, have been much disturbed by various rumors and reports of proceedings tending to deprive them of their ancient, legal and constitutional rights: —

And whereas the affairs of this colony are frequently connected with those of Great Britain, as well as of the neighboring Colonies, which renders a Communication of sentiments necessary; in order, therefore to remove the uneasiness, and to quiet the minds of the people, as well as for the other good purposes above mentioned, —

Be it resolved, that a Standing Committee of correspondence and inquiry be appointed, to consist of eleven persons, to wit: the Hon. Peyton Randolph, Esq. Robert Carter Nicholas, Richard Bland, Richard Henry Lee, Benjamin Harrison. Edward Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Carey and Thomas Jefferson, Esqrs. any six of whom, to be a Committee, whose business it shall be to obtain the most early and authentic intelligence of all such Acts and resolutions of the British Parliament, or proceedings of the administration, as may relate to, or affect the British Colonies in America; and to keep up and maintain a correspondence and communication with our Sister Colonies, respecting these important considerations; and the result of such their proceedings, from time to time to lay before this House,

Resolved, That it be an instruction to said Committee, that they do without delay, inform themselves particularly of the principles and authority on which was constituted a court of inquiry, said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America, to places beyond the Seas to be tried.'

The said resolutions being severally read a second time, were, upon the

questions severally put thereupon, agreed to, by the House, *nemine contradicente.*

'Resolved, That the Speaker of this House do transmit to the Speakers of the British Colonies on this Continent, copies of the said resolutions, and desire that they will lay them before their respective Assemblies: and request them to appoint some person or persons of their respective bodies, to communicate from time to time, with the said Committee.'

By the House of Burgesses of the Colony of Virginia.

G. WYTHE.
C. H. B."

Resolutions of the House of Representatives of Rhode Island relative to the foregoing correspondence.

Whereas this House hath appointed a committee of correspondence with committees of the other Colonies in North America, respecting the rights and privileges of the Colonies &c: it is therefore —

Resolved by this House That His Honor the Governor, be requested to deliver the said Committee a copy of his commission as one of the judges of the Court of inquiry, constituted from home, and said to be held in this Colony; and of all such other papers, which were laid before said court, as may be consistent with his honor as Governor of this Colony.

Resolved, That the Speaker of this House be requested to write to the Speaker of the House of Burgesses in Virginia, and to all other Speakers of Assemblies in North America, informing them of the proceedings of this House relating to the preservation of the rights of the Colonies.

Resolved That a standing committee of correspondence and inquiry, to be appointed to consist of seven persons to wit: the Honorable Stephen Hopkins, Esq. Metcalfe Bowles, Moses Brown, John Cole, William Bradford, Henry Marchant and Henry Ward Esqrs.; any four of whom, to be a Committee, whose business it shall be, to obtain the most early and authentic intelligence of all such Acts and resolutions of the British Parliament, or proceedings of the administration as may relate to, or affect the British Colonies in America; and to keep and maintain a correspondence and communication with the other colonies, respecting those important considerations; and the result of these proceedings, from time to time, to lay before the House.

Proceedings of the House of Representatives of New Hampshire relative to the foregoing communications.

The Committee appointed to prepare an answer to the Letters from Virginia & Rhode Island having laid before the House a draft of a Letter to the Hon^{bl} Speaker of the House of Burgesses of Virginia & another to the Hon^{bl} Speaker of the House of Deputies of the Colony of Rhode Island,

Voted That the same be accepted & that the Speaker of this House be desired to sign & forward them by the Post or as soon as may be & that a Copy of the vote of this House appointing a Committee of Correspondence be also enclosed to each of said Speakers,

Resolved & Voted That a Standing Committee of Correspondence & enquiry be appointed, to consist of seven persons, viz.

The Hon^bl Jn° Wentworth Esq. Jn° Sherburne, Willm Parker, John Giddinge, Jacob Sheafe, Christopher Toppan & John Pickering Esq^rs any four of whom to be a Committee whose business it shall be to obtain the most early & authentic Intelligence of all [P. 162.] such acts & Resolutions of the British Parliament or proceedings of Administration as may relate to or affect the British Colonies in America, & to keep up & maintain a Correspondence & Communication with any sister Colonies respecting those important considerations, & the result of such their proceedings from Time to Time to lay before this House.

Letter from Hon. John Wentworth Esq. Speaker, to the Speaker of the House of Burgesses &c.

Portsm°, New Hamp^r 28^th May, 1773.

SIR — Mess^rs Randolf, Nicholas & Digges agreeable favour of the 6^th of April 1773 (1) with a copy of an Act ag^st forging your paper currency, & a letter dated March 19^th 1773 unsigned, inclosing the resolves of the Hon^bl House of Burgesses of Virginia, I had the honor to receive, & on the first meeting of our Assembly I took the earliest opportunity to lay those interesting papers before them, whose unanimous Direction I have, to present their thanks to & assure your Hon^ble House that in every constitutional plan for securing the rights of British America & removing the present Infringements thereon our sister Colonies may rely we sincerely join, having no wish for ourselves of an exclusive nature in those matters, ever looking on the whole as embarked in the same common bottom; & so represented it in an Address to Lord Dartmouth at our first meeting after his appointment for American affairs. The house have appointed a Committee for the proposed purposes of Communication & flatter ourselves that some measures may yet be hit on for restoring the mutual confidence once subsisting between Great Britain and the American Provinces. The act proposed to prevent counterfeiting the paper money of the Colonies in British America, the House of Assembly determine to take into consideration & wish such Laws may be enacted as will effectually prevent such pernicious Practices in future. I have the honor to be, Sir, your most Humble Serv^t,

J. WENTWORTH.

To the Hon^ble Speaker of the
House of Burgesses of Virginia.

Letter of Hon. John Wentworth, to the Speaker of the House of Deputies of Rhode Island.

Portsm°, New Hamp^r, May 28^th, 1773.

SIR — Having rec^d a letter from the Committee of the House of Burgesses of Virginia, inclosing their resolves of the 12^th of March last a few days before the receipt of yours of the 15^th of May Instant which resolves the House have duly considered & agree in substance with them, & *they* you may be assured that this House will readily concur with you & all the Ameri-

(1) This letter has not been found; but this answer to it shows, that with the exception of the matter first alluded to, it related to the subject chiefly referred to in the preceding correspondence. —ED.

can Colonies in all Constitutional measures to obtain the desired redress. In behalf of the Assembly the favour of a copy of the Commission of Enquiry is requested whenever the same can be obtained.

I have the Honour to assure you I am with great Respect, your most Humble servt.

J. WENTWORTH.

To the Honble Speaker of the House
of Deputys of the Colony of
Rhode Island.

Resolutions adopted at a public meeting held in Portsmouth, Dec. 16, 1773.

[Copied from Adams' An. Portsmouth 1825, pp. 239–'40.]

"Upon a serious consideration of the late act of Parliament, subjecting the Colonies to pay a duty upon teas in America, and more especially the act of Parliament, passed at their last session, whereby the East India Company have full power, to export their teas to the Colonies, liable to a duty upon being landed here, it appears manifestly that the latter (act) was artfully designed by the ministry to carry more effectually into execution the former, which was made for the express purpose of raising a revenue from the Colonies by the authority of the British Parliament only, without our consent: Wherefore, from a due sense of the value and importance of our liberties and properties, and from just apprehensions of the horrors of slavery, we are induced to make the following Resolves: —

First — That the measures of late pursued by the ministry of Great Britain in their attempt to subject the Colonies to taxation by the sole authority of the British Parliament, are not only unjust, arbitrary and inconsistent with the fundamental principles of the British Constitution, but directly tend to hasten on the destruction of an empire, which, by preserving in all its parts, those original rights, which first gave rise to its present glory, might increase in wealth and power, become the envy of all nations, and continue in full strength and grandeur for ages to come; therefore, in the foregoing view, we cannot but think ourselves bound by our duty to the King, and love to the nation of which we are members, to oppose such measures to the utmost of our power.

Secondly — That it is the natural right of men born and inheriting estates in any part of the British dominions, to have the power of disposing of their own property, either by themselves or their representatives.

Thirdly — That the act of the British Parliament, laying a duty upon teas landed in America, payable here, is a tax, whereby the property of Americans is taken from them without their consent.

Fourthly — That notwithstanding the preamble to the act laying a duty upon teas, asserts that the act is made for the support of Government, the administration of Justice &c. in America, yet this is not only unnecessary, but has a direct tendency to subvert our constitution, render our assemblies useless, and the government arbitrary.

Fifthly — That every virtuous and public spirited freeman ought to oppose to the utmost of his ability, every artful attack of the ministry to enslave the Americans.

Sixthly — That the power given by Parliament to the East India Company, to send out their teas to the Colonies, subjected to the payment of duties on being landed here, is a plain attempt to enforce the ministerial plan, and a direct attack upon the liberties of America, and that it is the indispensable duty of all true hearted Americans to render this effect abortive.

Seventhly — That a union of all the Colonies appears to be the most likely method, under God, of obtaining a repeal of all those acts, which are so sub-

versive of the freedom of the British colonies and destructive to the whole nation.

Eighthly — That in case any of the Company's teas should be brought into this port for sale, we will use every necessary method to prevent its being landed or sold here.

Ninthly — That whoever shall directly or indirectly promote or in any ways aid and assist in the importation of any of the East India Company's teas, or any teas subject to payment of a duty here, by an act of the British Parliament, shall be deemed an enemy to America.

Tenthly — That this town do hereby return their thanks to all their brethren in the several governments, upon this continent, for their noble exertions upon this important and alarming occasion.

Eleventhly — That the proceedings of this meeting be published, and sent to every considerable town in this government; and that a Committee be chosen to correspond with them, and with the several committees in the other Governments."

A Committee of Correspondence, consisting of seven respectable inhabitants was chosen for the above purpose.

A Journal of the General Assembly of the Province of New Hampshire (held by several Adjournments & Prorogations from the 29th of May 1773,) begun January 11th 1774.

[P. 164.] TOWNS.	NAMES OF REPRESENTATIVES.
Somersworth	Jn° Wentworth Esq. Speaker.
Portsmouth	William Parker, Esq^r John Sherburne Esq^r Jacob Sheafe.
Dover	Otis Baker, Esq^r
Hampton	Christop^r Toppan, Josiah Moulton.
Hampton Falls,	Jon^a Tilton.
Exeter	John Giddinge John Phillips
[Rye]	Amos Seavy
Kingston,	Josiah Bartlett
Newington,	Rich^d Downing,
Stratham	And^r Wiggin,
Londonderry	Steph^a Holland
Greenland	Clem^t March
Durham	Eben^r Thompson
Newmarket	Israel Gilman.
So. Hampton	Capt. Eliph^t Merrill.
Chester	John Webster
Plastow, Hampstead, Atkinson	Jon^a Carlton
Salem & Pelham	Joseph Wright
Holles	Sam^l Hobart,
Merrimack & Monson	John Chamberlain

Nottingham W. & Litchfield	James Underwood
Kensington	Benj[a] Rowe
Rochester	James Knowles
Barrington	Sam[l] Brewster
Amherst & Bedford	John Goffe Esq.
Winchester	Josiah Willard
Keene	Benj[a] Hall
Charlestown	Simeon Alcott.

Mr. Hall allowed Travel 90 miles on the last prorogation, Col[o] Goff 10 miles — ? Brewster the same, Mr. Seavey not allowed, Underwood allowed 25 miles for Travel when the Court adjourn[d], Major Wright 30 miles, allowed Capt. Merrill 20 Do.

[P. 165]. Tuesday, 11[th] Jan[y], 1774.

There not appearing a sufficient number of members to make a house, the Sec[y] adjourned the Assembly to tomorrow 12 o'clock.

Met according to adjournment — Chose John Sherburne Esq[r] Speaker pro tempore, and voted that John Goff, John Phillips, Josiah Bartlett & Christoph[r] Toppan Esq[rs] be a Com[tee] to inform the Gov[r] that there were members present sufficient to make a house and adjourned to tomorrow ten o'clock.

Thursday 13[th].

The Deputy Secretary bro't the Gov[rs] message to the Assembly into the House which was read & is as follows, viz.

Gentlemen of the Council & of the Assembly —

Having nothing in command from his Majesty to lay before the Gen[l] Assembly, I recommend to both Houses that they proceed to the Business of the Province naturally occurring at this time, in which is more peculiarly included the amendment of any Laws that may require it and the passing such others as are necessary, under this head you will readily observe the necessity of Providing some remedy against the Pernicious practice of Counterfeiting or debasing gold or silver Coins current in America, an evil too glaringly destructive and unhappily too commonly practiced to admit any Delay.

My regard to the Province would wound me was I to omit strongly recommending your immediate care to render effective the Laws for preventing Infectious and Pestilential disorders being spread among the Inhabitants Especially of Portsmouth, a calamity too Dreadful & Distressing and (without some more coercive Laws) I am certain is too likely to happen, not to Engage your earnest attention.

Whatever may be further useful or necessary I shall communicate in the course of the Sessions in which I shall readily afford my concurrence to any [P. 166.] measure for his Majesty's Service and Prosperity of the Province which cannot fail of advantage from an uninterrupted continuance of Public Harmony, moderation and diligence all which shall have my best Endeavors to establish.

J'WENTWORTH.

Council Chamber
New Hampshire, 12[th] Jan[y] 1774.

Friday 14th.

Major Hobart & Dr. Bartlett chosen to examine what Laws were expired or near it & make report to the House as soon as may.

Voted, That Colo Toppan Colo Holland Major Hobart & William Parker Esqs be a Comtee to wait on the Govr to request of him to communicate to the House the Evidence of the Dismission of Mr. Livius Petition (1) & the approbation of his Excellency's conduct: To which his Excellency was pleased to comply with this request.

Saturday 15th.

The Deputy Secretary brot down the Governors Answer to the request made to him by a Comtee of the House which is as follows. viz.

Mr. Speaker and Gentlemen of the House of Representatives —

Having considered your Message of this day Informing me that you and your constituents had been greatly alarmed by a Report prevailing for some time past that complaints had been Preferred to his Majesty of great Injustice, mal-Administration & oppression in my conduct as Governor of this Province, also requesting to know the event thereof:

I have in answer to acquaint the House that such complaints were Preferred and urged by Peter Livius, Esq. and that the Rt Honbl the Lords of the Comtee of the Privy Council to whom his Majesty was pleased to refer the final hearing & consideration of the whole matter, had reported upon it on the 8th of October last, which Report his Majesty was most graciously pleased to approve & thereupon to order the complaints of the said Peter Livius Esqr to be Dismissed.

J'WENTWORTH.

Council Chamber, New Hampr,
January 14, 1774.

(1) See a particular notice of Peter Livius, Esq., in *Adams Annals of Portsmouth*, 1772. pp. 234, 235. Also *Brewster Ramb.* Vol. II. pp. 78–83.—ED.

PAPERS

Relating to the complaint made by Peter Livius, Esq., against his Excellency John Wentworth, Governor.

[The first two Papers which follow are transcribed from Appendix, Vol. III, Belknap's Hist. pp. 300–312, Dover, 1812.—Ed.]

A Report from the Lords Commissioners for Trade and Plantations on a complaint made by Peter Livius, Esquire, against John Wentworth, Esquire, Governor of the Province of New Hampshire.

TO THE KING'S MOST EXCELLENT MAJESTY.

May it please your Majesty —

Peter Livius, Esquire, one of your Majesty's Council for the Province of New Hampshire, in North America, having on the ninth of July, presented a memorial unto us, complaining of the conduct of John Wentworth, Esquire, Your Majesty's Governor of that Province, and charging him with Oppression and Mal-administration in the government thereof: And it appearing, upon reference to the papers and records in our office, that the journals of the Council of said Province, as a Council of State, and to which the complainant referred for proof of most of the facts stated in his memorial, had not been transmitted since the commencement of Mr. Wentworth's administration: — We thought it our duty immediately to send to the said Governor, a copy of the memorial of complaint; and to require him to lose no time in transmitting to us a full and explicit answer to the several charges alledged against him, accompanied with such depositions and proofs in his own behalf as he should think proper; giving, at the same time, full liberty to Mr. Livius, or any other person concerned, to make affidavit, before any judge or other Magistrate, of what they knew concerning the subject matter of the said complaint; and that such Judge or other Magistrate should be likewise enjoined, to summon such persons as the complainant, or any other in his behalf, should name.

That the Secretary should be likewise enjoined to give attested copies (from the records) of the minutes of the Council, and of any other concerned. And if it should appear as alledged by Mr. Livius, that the said minutes or other records were defective, in any matter required by him or them; or that those transactions which were alledged to have passed at any meetings of the Council, had been omitted to be entered on the journal; then that the Secretary should, in such cases, be further enjoined to give evidence, upon oath, touching such defect or omission.

That the said Governor and the complainant, or any person or persons, should interchange the said proofs and depositions as soon as the same should have been made; and that twenty days should be allowed, as well for himself as the complainant or other person concerned, to make his or their reply by affidavit or otherwise, to be in like manner interchanged, and afterwards certified and transmitted to us, under the seal of the Province; that we might be enabled to represent to your Majesty, on the true state of this affair, pursuant to the powers and directions contained in our commission under the great seal.

In consequence of the foregoing directions, your Majesty's Governor has transmitted to us his answer to each article of complaint contained in Mr. Livius's memorial, accompanied with attested copies of the Journals of the Council as a Council of State, from the commencement of his admini stra-

tion, and of such depositions as have been taken to support the facts alledged by the Governor in defence of his conduct. And we have taken the said complaint and answer into our consideration, together with Mr. Livius's reply to the said answer, copies of all which are hereunto annexed; and having heard counsel learned in the law; as well in support of the complaint, as of the Governor's defence; we humbly beg leave to represent to your Majesty thereupon:

That it does appear, upon full examination and clear evidence;

First, That your Majesty's Governor of New Hampshire has, in concurrence with the Council for the said Province, composed almost altogether of his own kindred or relations by blood or marriage (1) taken upon him to resume and regrant many large tracts within the said Province, the property of your Majesty's subjects by virtue of several former grants: upon bare suggestion only, that the conditions of such former grants had not been complied with, and without the intervention of a Jury, or any proof or evidence whatever, to establish the fact of such default.

Secondly, That these resumptions have been made without any notice (except in one or two cases) to the proprietors of such tracts, so resumed; and that, in some instances, in which the Governor and Council did think fit to allow time to the proprietors of certain tracts to make good the conditions of their grants, such grants were nevertheless resumed, and the lands re-granted, long before the expiration of the time allowed, and without any notice given to the parties.

Thirdly, That the said Governor did, without any legal process whatever, resume and regrant several tracts of land reserved to the said late Governor within each of the townships, granted by him, and which reservation he had, by his will, devised to his widow: and that such resumption was made in consequence of a resolution of the Council, 'That the said reservations did 'not convey the premises, they being granted by the Governor to himself'.

Fourthly, That, pending an action brought in the Inferiour Court of Common Pleas, in which your Majesty's Governor was interested, and which he admits was brought for his benefit, the Judges were, in three successive terms, changed, and especial Judges appointed; That in the standing Court of Common Pleas which first sat in judgment upon the action brought by the Governor, a question arising out of the action was decided against the Governor's interest: That in the second term, two Judges were appointed, which together with one of the Judges of the standing Court abovementioned, adopted the decision of the former court: That, in the the third term, two of the Judges were again changed, when the same question was again brought forward, and decided in the same manner as above: That in the fourth term, two of the Judges who sat in the former court were removed, and a new bench appointed, consisting of Jacob Sheaffe and John Philips, Esquires, who had not acted in that capacity in any of the preceding Terms, and of Nathaniel Folsom, who had served in the terms, and who is stated to have been uniformly of opinion for the Governor in the question that had been agitated upon the action in which the said Governor was interested; and that, in the last mentioned court, the said question was a fourth time

(1) The following statement relating to the Governor's family connections with the Council, is copied from an article furnished by Hon. John Wentworth of Chicago, and published in the *Portsmouth Journal*, 1869.—Ed.

Theodore Atkinson, Portsmouth,	appointed	1732, married the Governor's aunt.
Daniel Warner, Portsmo.	"	1753, d. 1778, father of Jona. Warner.
Mark Hunking Wentworth, Portsmo.	"	1759, father of the Governor.
Peter Levius, Portsmo.	"	1765, d. in England, 1795, aged 68.
Jonathan Warner, Portsmo.	"	1766, married two cousins of the Governor.
Daniel Rindge, Portsmo.	"	1766, nephew (if not brother) to Govs. mother.
George Jaffrey, Portsmo,	"	1766, son of Geo. Jaffrey, whose second wife was the Governor's aunt.
Daniel Rogers, Portsmo.	"	1766, married sister to Governor's mother.
Peter Gillman, Exeter,	"	1771, married a cousin of the Govs. father.
Thos. Westbrook Waldron, Dover,	"	1772, d. April 3, 1785, aged 63.
Paul Wentworth, London,	"	1772, not sworn in.
John Sherburne, Portsmo.	"	1774, his father cousin to the Govs. father.

brought on to trial, and a judgment obtained in favor of the Governor, though afterwards reversed in the Superiour Court in consequence of a Writ of Error.

These, may it please your Majesty, are the material parts of the charge exhibited against Mr. Wentworth; nor is there any other part of the complaint exhibited by Mr. Livius, upon which any evidence has been produced to us, that does, in our humble opinion, lay the foundation for censure upon the Governor's conduct. What we have stated, with respect to the resumption and re-granting of lands, is not, we think, to be justified, either by the plea of usage or expediency, or by the opinion of the Attorney and Solicitor General in one thousand seven hundred and fifty-two, upon which the Governor lays so great stress; which opinion appears to us, upon full examination of it, to be confined to a particular case stated to them, not corresponding with the cases in which the conduct of Mr. Wentworth is complained of; and that, if it was applicable to such cases, yet it does not, in our humble opinion, warrant any resumption of lands, claimed as private property under grants from the crown, upon bare suggestion only, that the conditions have not been complied with; but on the contrary does, we humbly conceive, imply that the fact of the default should be first found in a regular course of law. We further crave leave humbly to represent, that, admitting the said opinion did warrant such a proceeding, in respect to grants, the condition of which had not been complied with, which we conceive it does not; yet it is certainly not applicable either to the case of lands resumed and re-granted before the term allowed for fulfilling the conditions of settlement were expired; or to the case of the reservations to the late Governor, devised by him to his widow, the resumption and re-granting of which, in manner above stated, upon an extra judicial opinion of the Council, was, in our judgment, unwarrantable and unjust. And we submit, whether the misconduct of your Majesty's Governor, under these heads of complaint, is not greatly aggravated by his having omitted, from the commencement of his administration, to transmit the journals of the Council, as a Council of State; a neglect for which he is certainly responsible, and by which transactions of the greatest importance to your Majesty's interest and the right of your Majesty's subjects have been concealed from your Majesty's knowledge; and the Governor and his Council have gone on, for a series of years, in a course of very irregular proceedings, without controul.

With regard to what has been proved respecting the change of the Judges, though asserted, in a great number of depositions transmitted by the Governor, to have been consonant to the usage and practice in the Colony; it is yet, in our humble opinion, a proceeding that, under all the circumstances attending it, is of a very extraordinary nature, and does lead to the suspicion and presumption of very unworthy conduct on the part of your Majesty's Governor. And, upon the whole, we humbly submit, 'That the complaint 'against Mr. Wentworth, so far as it regards the facts above stated, has been 'fully verified. At the same time it is our duty to represent, that the 'reports which we have received, through different channels, of the situation 'of affairs within your Majesty's government of New-Hampshire, do all con'cur in representing the Colony to have been, ever since Mr. Wentworth's 'appointment, in a state of peace and prosperity; that its commerce has been 'enlarged and extended, the number of its inhabitants increased, and every 'attempt made to excite the people to disorder and disobedience has been, 'by the firm and temperate conduct of Mr. Wentworth, suppressed and 'restrained.' But upon the whole, we humbly submit, whether Mr. Wentworth's conduct in the mal-administration with which he has been charged, has been such as renders him a fit person to be entrusted with your Majesty's interests in the important station he now holds.

All which is humbly submitted.

Signed SOAM JENYNS.
BAMBER GASCOYNE.
GRENVILLE.
GARLIES.

W. JOLIFFE.
White-Hall
May the 10th, 1773.

Report of the Committee of the Privy Council, and its acceptance by the King.

(Copy.)

At the Court at St. James' the 8th Day of October, 1773.

L.S. Present

THE KING'S MOST EXCELLENT MAJESTY.

Earl of Suffolk,	Lord North,
Earl of Sandwich,	Richard Rigby,
Vis. Barrington,	George Onslow,

WHEREAS there was this day read at the board a report from the Right Honorable the Lords of the Committee of Council for Plantation affairs (1) dated the 26th of August last, in the words following, viz.

"Your Majesty having been pleased, in consequence of a memorial presented to your Majesty from Sir Thomas Wentworth, Baronet. Paul Wentworth, Esquire, Thomas Macdonagh, secretary to John Wentworth, Esquire. Governor of the Province of New Hampshire, to refer unto this committee a representation from the Lords Commissioners for trade and plantations, dated the 10th of May last, upon a complaint exhibited to the said Lords Commissioners against the said Governor Wentworth, by Peter Livius, Esquire, one of your Majesty's Council for the said Province, together with several other papers transmitted by the Earl of Dartmouth, one of your Majesty's principal Secretaries of State, to the Lord President of the Council, relative to the said complaint: The Lords of the committee, in obedience to your Majesty's said order of reference, have met several times and taken the said matters into consideration, and have heard Counsel on both sides. And, having maturely weighed and considered the complaint against the said Governor, the answer of the said Governor, and the reply of the said Peter Livius, Esquire, together with the proofs on all sides, and the said representation of the Lords Commissioners for trade and plantations, the Lords of the committee do humbly represent to your Majesty,

"That the first article of Charge contained in the above mentioned representation of the Lords Commissioners for trade and plantations, sets forth 'That your Majesty's Governor of New-Hampshire has, in concurrence with the Council for the said Province, composed almost altogether of his own kindred, or relations by blood or marriage, taken upon him to resume and re-grant many large tracts of lands within the said Province, the property of your Majesty's subjects in virtue of former grants, upon bare suggestion only that the condition of such former grants had not been complied with, and without the intervention of a jury, or any proof or evidence whatever, to establish the fact of such default.'

"With respect to which article the Lords of the Committee do humbly report to your Majesty, That, by the law of England, when lands are granted to a man and his heirs upon condition, the breach of the condition must be found by a jury, under a commission issuing out of the Court of Chancery, before your Majesty can sieze and re-grant the same. But in the Province of New Hampshire there is no Court of Chancery or other court empowered to issue such a commission; and though the general rule is that the law of England takes place in your Majesty's Colonies, yet it must always be understood to mean such part of the law as is suited and adapted to the state of the Colony, and to the frame and nature of the constitution established there; and though the Governor, in concurrence with the Council for the said Province, hath resumed and re-granted many tracts of lands within the said Province which had been formerly granted to other persons, yet no evidence hath been laid before the committee of any such resumptions and re-grants having been made without proof or public notoriety that the condi-

(1) Lords of the Committee: Lord Suffolk, President; Arch-Bishop of Canterbury, Sir Fletcher Norton, Sir Eardly Wilmot, Sir Thomas Parker.

tions of such former grants had not been complied with; and no complaint hath been or is now made by any person supposed to be injured by any such resumptions and re-grants.

"The second article states 'That these resumptions have been made without any Notice (except in one or more cases) to the proprietors of such tracts so resumed; and that in some instances in which the Governor and Council did think fit to allow time to the proprietors of certain tracts to make good the conditions of their grants, such grants were nevertheless resumed and the land re-granted long before the expiration of the time allowed, and without any notice given to the parties.'

"As to which article the Lords of the Committee do humbly report to your Majesty, "That it hath not been proved that any resumptions have been made without notice to the proprietors of such tracts so resumed; and it is no part of the original complaint made by Mr. Livius that in any instance in which the Governor and Council thought fit to allow time to the proprietors of lands to make good the conditions of their grants, such grants were resumed and the lands re-granted before the expiration of the time allowed; and the Governor not having had an opportunity of answering that complaint, the Lords of the committee are humbly of opinion no notice can be taken of it.

"The third article represents 'That the said Governor did, without any legal process whatever, resume and re-grant several tracts of land reserved to the late Governor, within each of the townships granted by him, and which reservations he had by his will devised to his widow; and that such resumption was made in consequence of a resolution of the Council, that the said reservations did not convey the premises, they being granted by the Governor [to] himself.

"With respect to this article the Lords of the committee do humbly report that the lands were granted but not reserved to the Governor and his heirs in each of the townships granted by him; but being granted by your Majesty, in your Majesty's name, and not in the Governor's name, the grants were sufficient to convey the lands so granted to him, and the Council was mistaken in thinking them insufficient; and the Lords of the Committee find, that after such an opinion given by the Council, the Governor did, with their advice, resume and re-grant several tracts of lands, which had been granted by the late Governor within each of the townships, as aforesaid; But it hath not been proved that the said lands were re-granted in trust for himself; and in many instances it hath been proved, that such lands were re-granted to different inhabitants in the said Province, for their own use and benefit; and the representatives of the late Governor's widow to whom he had devised the same, have not complained of any injury or oppression by such resumption and re-grants.

"And the fourth article alledges, 'That pending an action brought in the Inferior Court of Common Pleas, in which your Majesty's Governor was interested, and which he admits was brought for his benefit, the Judges were in three successive terms, changed, and special Judges appointed: That in the standing Court of Common Pleas, which first sat in judgment upon the action brought by the Governor, a question arising out of the action was decided against the Governor's interest: That, in the second term, two new judges were appointed, which, together with one of the Judges of the standing Court abovementioned, adopted the decision of the former Court: That, in the third term, two of the judges were again changed when the same question was again brought forward, and decided in the same manner as above: That, in the fourth term, two of the judges who sat in the former Court, were removed, and a new Bench appointed, consisting of Jacob Sheaffe and John Phillips, Esquires, who had not acted in that capacity in any of the preceding terms, and of Nathaniel Folsom, who had served in the two preceding terms, and who is stated to have been uniformly of opinion for the Governor, in the question that had been agitated upon the action in which the said Governor was interested; and that in the last mentioned

Court, the said question was a fourth time brought on to trial, and a judgment obtained in favour of the Governour, though afterwards reversed in the Superior Court in consequence of a Writ of Error.'

"With respect to this fourth article, the Lords of the committee do humbly report to your Majesty, That it appears in evidence to have been the constant practice, when any of the standing Justices of the Court were interested in any suit there depending, either by being related to any of the parties, or otherwise, for special Judges to be appointed: that there were other causes depending at the same time in the Inferiour Court of Common Pleas, wherein the standing Justices were either interested or akin to the parties; and there is no proof that the special Judges were appointed on account of the particular cause wherein the Governor was concerned; but by many depositions, and particularly by the deposition of the defendant in the said cause, it appears that the special commissions were solicited in the common form and manner as is usual in the Province of New-Hampshire: and the question debated in the said cause, being a mere collateral question, not respecting the merit of it, was determined three times for the defendant in the Inferior Court; but being determined a fourth time for the plaintiff, a Writ of Error was brought into the Superior Court, and was finally determined there for the defendant; and the defendant in the said cause swears, that he, neither at that time, nor since, had any objections either to the said commissions, or to the Justice therein named and appointed, or to either of them.

"And as to what is submitted in the said representation of the Lords Commissioners for trade and plantations, 'That the Governor omitted, from the commencement of his administration, to transmit the journals of the Council as a Council of State.'

"The Lords of the Committee do humbly report to your Majesty, That this practice was begun in the late Governor's time; who acquainted the proper officer, on his delivering a copy of the said journals in the month of June, 1760, that he need not give himself the trouble to make out such copies for the future, without his special directions; and from that time the practice has been discontinued both by the late and present Governor. But the Lords of the Committee are of opinion, that it may be proper to revive that practice, and to have a regular transmission of such copies to the Lords Commissioners for trade and plantations.

"Upon the whole, therefore, the Lords of the Committee submit to your Majesty, THAT THERE IS NO FOUNDATION FOR ANY CENSURE UPON THE SAID JOHN WENTWORTH, ESQ. YOUR MAJESTY'S GOVERNOR OF NEW HAMPSHIRE, FOR ANY OF THE CHARGES CONTAINED IN MR. LIVIUS'S COMPLAINT AGAINST HIM, whose general conduct, in the administration of affairs within your Majesty's government of New Hampshire, is represented to have tended greatly to the peace and prosperity of the said Province.'

His Majesty, taking the said report into consideration, is pleased, with the advice of his Privy Council, to approve thereof, and to order, as is hereby ordered, That the said complaint of the said Peter Livius be dismissed this board. And his Majesty doth hereby further order, That the Governor, or Commander in Chief of the Province of New Hampshire, for the time being, do not fail, on any pretence whatever, punctually and regularly to transmit to the Lords Commissioners for trade and plantations, authentic copies of the journals of the Council, as a Council of State.

Signed, G. CHETWOOD.

[The following appear to be Papers, which the Governor offered in his defence, during the trial.—Ed.]

Extracts of sundry Letters from the Earl of Hillsborough, to his Excellency Governor Wentworth. (1)

[Copied from MS. Corr., Vol. III, p. 315—318.]

No. 1. Dated Whitehall, Apr 4th 1768.

"His Majesty very much approves the attention you have shewn to the duty of your office of Surveyor General of his Woods, as well in the Remarks and observations you have made on the growth of Timber in the Southern Colonies through which you have passed, as in the Regulations you have Established for preventing Waste by Illegal Destruction in the New England Governments. This very important consideration is now before the Lords of the Council, upon a Report from the Board of Trade, on a Memorial from Mr. Bollan, in which Report a variety of new arrangements and Regulations are proposed in respect to the office of Surveyor of the Woods, and the Establishments necessary for carrying their Lordships Plan into Execution, are now under the Deliberation of the Lords Commissioners of the Treasury. I shall therefore think it my duty to communicate your Letters on this subject to the Council Board, and shall also transmit copies of them to the Lords Commissioners of the Admiralty, that such measures may be pursued to aid you in the Execution of your Duty, as shall be thought most advisedly by that Board, to whose Department this matter more particularly belongs."

No. 2. Dated Whitehall, 14th May, 1768.

"His Majesty is well pleas'd to find, that his subjects within your government continue in that Dutiful Disposition, which is so agreeable to his Majesty; and promises himself, from your Prudence & Zeal in his service, that they will preserve the good opinion his Majesty entertains of the affections of his subjects of New Hampshire."

No. 3. Dated Whitehall, 9th July 1768.

"The attention you appear to have shown to a faithful & diligent Execution of yr Duty in the administration of Government, has met with the King's approbation; and his Majesty observes with satisfaction the care you have taken to inform yrself fully of the State of the Colony, in all those points recommended by your Instructions."

No. 4. Dated Whitehall, 15th July 1769.

"On the 17 of last month I received and laid before the King your Letters, No. 21, No. 22, 23, 24 & 25, and his Majesty commands me to signify to you his approbation of yr prudent Endeavours to suppress in their Infancy ye factious attempts to kindle in New Hampshire the same Flame in respect to the Revenue Laws which has disturbed the peace of his neighboring Colonies.

"His Majesty sees with satisfaction the success of those Endeavors, and approves ye attention given by the Legislature to what you recommended to them respecting a Law for dividing the Province into Counties, which shall have the fullest consideration & Dispatch so soon as it comes to my hand."

(1) These Extracts are arranged by the Editor, according to their date.

No. 5. Dated Whitehall, Novr 4th 1769.

"As I send you a Transcript of my Letter to their Lordships indorsing that copy, it is unnecessary for me more fully to express to you the Light in which I consider your conduct in that office.

"The King sees with satisfaction the full Testimony you bear of the Respect for, and obedience to the Laws of this Kingdom, so steadily adhered to by his Majesty's subjects under your government, & is graciously pleased to command me to express to you his Royal Approbation of your Diligence and zeal to promote their true Interests & his service.

I have the Honor to be &c."

No. 6. Dated Whitehall, Jany 18th 1770.

"And I have also the satisfaction of sending you a Letter to Mr. Pownal from the Secretary to the Lords of the Treasury, by which you will see the sense their Lordships have of your Merit in the office of Surveyor of the Woods, & their Resolution that your Interest shall not suffer by any new Arrangements that may be made in respect to that office."

No. 7. Dated Whitehall, 12th June, 1770.

"And I trust will be such as to enable his Majesty to give to his faithful & meritorious subjects in New Hampshire a Testimony, in those two cases, of his Royal and Gracious Disposition to promote their true Interest & Welfare.

I am, sir, &c."

No. 8. Dated Whitehall 3d July 1771.

"The great Variety of matter contained in this Report & the Difficulty arising upon many legal Questions resulting from it, have hitherto prevented any final Representation from that Board; but I cannot refuse myself the satisfaction of acquainting you that your conduct has appeared to their Lordships in the most favourable Light, and that they will not fail to bear Testimony to our Royal Master of their opinion of your zeal for his service."

Extract from a private letter of Gov. Wentworth to Henry Bellew, Esq. (1) *in London.*

[Furnished by John Wentworth, Esq., of Chicago, and printed in *Portsmouth Journal*, 1869.]

Portsmouth, N. England, April 8th, 1775.

"My affair with Livius is at length finished in my favor after much more time, cost and trouble than I thought it possible such a groundless malevolent attempt could have found means to create. No doubt every person that heard the matter must have been astonished at my adversary's success in prejudicing opinions against me. To this moment I have never learned the reason that induced Mr. Trecothick to direct Mr. Holland and Skinner, in the first hearing to leave my reputation at the mercy of mine enemy, without using the cloud of authentic testimonies furnished to justify me, and prove the notorious wickedness, dishonor and malignity of the complainant. This strange conduct must naturally injure me very much, and no doubt causes Mr. Dunning whose good opinion I exceedingly covet, to form an unfavorable judgment of the case. Your kind interposition with him on this point I shall always consider as an essential office of real friendship."

(1) Capt. Henry Bellew married the widow of Gov. John Wentworth's brother Thomas, who was Anne, daughter of Judge John Tasker of Marblehead, Mass. [*Note by J. W. of Chicago.*]—Ed.

A STATEMENT

Of all Transactions relative to Lands forfeited by the old grantees in the Province of New Hampshire, from July, 1767, to time of Gov. John Wentworth's arrival in the Government, to the middle of the month of April, 1772, the time that Peter Livius, Esq., left the Province. Extracted from the Minutes of Council.

N. B. All these Lands were granted on certain conditions of settlement. to be performed in five years, on Forfeiture of the Lands to be again Re-granted as directed by the 52d article of the Governor's Instructions.

This document, obtained form the Papers of the late Gov. John Wentworth, was probably used by him in answers to the articles of complaint made against him by the Lords of Trade, by Peter Livius, Esq. *Note by John Farmer, Esq.*]—ED.

[The whole is copied from MS. Corr., Vol. III., pp. 322-327.

Names of Townships forfeited for Non-Settlement.	Dates of Grants.	Time when the Petitions respecting them were laid before the Council.	Petitioners Names.	Substance of the Petitions and proceedings upon them.	Determination of the Council upon the several Petitions, referring to the Dates of such determination.
Cockermouth (1)..	8 July, 1761	4th Dec. 1771	Col. John Hale & others.....	Praying for a new Grant in Exclusion of the delinquent Proprietors. On the 23d Jan. 1772, the delinquent Proprietors of Cockermouth appeared and offered such reasons for their Delinquency as induced the Council to allow them three years longer to make Settlement.	The Council advised to a prolongation of the grant, but the delinquent Proprietors were ordered to be notified to appear & shew cause for their Delinquency.
Lempster (2).....	5th Octob'r 1761	11th Jan'y 1772	Josh. Spencer & others	Pray to be allowed four years to complete their conditions, in exclusion of Eight grantees who had done nothing towards settlement.	Allowed three years on Condition of doing 1-3 of the duty the first year, 1-3 the second year, & 1-3 the 3d year.
Marlow (3).....	17th Oct'r 1761	22d Jan'y 1772	To sundry Proprietors.....	Praying for an extension of their charter to make settlement.	Allowed three years.

(1) Now Groton & Hebron.
(2) Lempster was first granted by the name of Duplin, 1st July 1753, & being forfeited was regranted, on the 5th Oct'r 1761, by the name of Lempster.
(3) Marlow was first granted the 1st January —— by the name of Addison, but being forfeited, was regranted 17th Oct'r 1761, by the name of Marlow.

STATEMENT — *Continued.*

Names of Townships forfeited for Non-Settlement.	Dates of Grants.	Time when the Petitions respecting them were laid before the Council.	Petitioners' Names.	Substance of the Petitions and proceedings upon them.	Determination of the Council upon the several Petitions, referring to the Dates of such determinations.
Alstead (1)	17th Oct'r 1761	Ditto Do.	To sundry Proprietors	Pray for further time to fulfill the conditions of their charter.	Allowed three years.
NewHolderness(2)	24th Oct'r 1761	Do. Do.	To sundry Proprietors	Pray for an extension of their charter.	Allowed three years.
Wentworth		Do. Do.	Mr. White on behalf of the grantees	Laid a state of the settlement before the Council, postponed the consideration to the 26th Feb.	27th March 1772. the forfeited shares to be regranted. Those who had done any Improvement were secured.
Franconia Lincoln Benton	24th Feb'y 1764 31st Jan'y 1764	Do. Do.	John Wendell and Associates	Praying for reasons assigned that part of Franconia may be annexed to part of Lincoln and a grant made of them in one Town. N.B. The three towns were declared to be forfeited.	
Orford	25 Sept. 1761	22d Jan'y 1772	Jona. Moulton & Associates	Praying to be allowed further time to make settlement.	Was allowed two years.
Dorchester	8 July 1761	27 March 1772	John House & O.	Pray for an extension of the charter to fulfill the conditions thereof.	Allowed three years, at the same time, but the grantees on the 30th of April following withdrew this pet'n and presented another soliciting for a new Grant, w'ch was complied with.
Enfield	4 Aug't 1761	29th July 1768	Simon Stevens & Associates	The grantees not having performed their conditions, the premises reverted to the Crown, and a grant is prayed for.	At the same time the Council advised to a grant as prayed for.
Lyman	10 Nov'r 1761	29th July 1768	The Grantees—Ab'm Thompson & Associates	Pray for ressons assigned that the time of settling said Tract may be lengthened.	Advised that a reasonable time may be granted. 30th Nov. 1768, five years were allowed.
Grafton	14th Aug't 1761	27 Sept. 1768	Josiah Willard & Associates	Pray for a grant of said Tract.	Advised that a Patent be granted.
Concord (3)	6th Aug't 1763	Ditto Do.	Benj'n & Leonard Whiting	Pray for a grant of the said town. Ordered to lay for consideration till the former grantees be notified.	19th Oct. 1768. Advised to be granted, the former grantees not having complied with their conditions.
Lyme	8th July 1761	Do. Do.	Israel Morey & others	To regrant the said town — suspended on Leon'd Whiting's Pet'n	26 Oct. 1768. Advised to be extended 3 years to the grantees, Thomas Sumner, &c. on their Petition.

Canaan	9 July	1761	Do.	Do.	Alexander Phelps	To regrant said Town — Ordered to lay to be considered.	20th Dec. 1768, allowed 4 years to the old grantees to make settlement.
Bath	10 Sept.	1761	Do.	Do.	Jacob Bailey & Associates	To regrant said Townships — Ordered to lay for further consideration.	19th Oct. 1768, the Petitioners to have a Regrant of the forfeited Rights — but the resident Proprietors to be quieted in their possessions.
Cardigan (4)			Do.	Do.	Simeon Olcott & Associates	Ordered to lay.	19th Oct. 1768. The Council advised for a Grant to Isaac Fellows & associates.
Thornton	6 July	1763	19th Oct'r	1768	Matthew Thornton & Associates	Praying that the town of Thornton be granted to them.	The Council advised — to grant the petitioners prayer.
Woodbury	26 June	1762	30th Nov'r	1768	The old Grantees	Pray for an enlargement of their charter.	Allowed five years.
Croydon	31 May	1763	20th Dec'r	1768	Ephraim Sherman & others	Pray to be allowed further time to fulfill their conditions.	Allowed four years.
Newport	6 Oct'r	1761	Do.	Do.	Stephen Wilcox & other grantees	Pray to be allowed further time to make settlement.	Allowed four years.
Lancaster	5 July	1763	2d March	1769	Wm. Mollineux & Assoc'.s	Pray for an enlargement of their charter for 7 years.	Allowed five years only.
Chiswick (5)	31 Jan'y	1761	16 Jan'y	1770	Moses Little & other grantees	Pray for an extension of their charter for reasons assigned.	Advised to, at the same time.
Stonington	20 Oct'r	1761	Do.	Do.	Jacob Treadwell & Associates	Pray for a Regrant, being forfeited for non-performance of the conditions.	Advised to, at the same time.
Piermont	6 Nov.	1764	3d Jan'y	1771	John Goffe & Clem. March &c.	Pray for further time for performing the conditions of their grant.	Allowed three years.
Dartmouth (6)	3 Oct.	1765	Do.	Do.	John Goffe & Associates	Pray for a longer time to perform their charter duties.	Allowed three years.
Conway	1 Oct.	1765	Do.	Do.	Hen'y Y. Brown & others	Praying for a grant of the forfeited Rights.	Regranted to the old Grantees the 16th Aug. 1771. Except one given to Brown.

16th Aug't 1771. The Governor asked the advice of the Council to notify in the publick papers all the Towns between Merrimack and the Connecticut Rivers, who had not performed the Terms of their Charters, to appear and show cause why their Lands should not be forfeited and Re-granted to others. To which the Council advised.

(1) This town was first granted 28th Dec. 1752, by the name of New Town, but being forfeited, was regranted the 6th of Aug't 1763, by the name of Alstead.
(2) This town was granted 10th Oct'r 1751, by the name of Holderness, but being forfeited was regranted to John Wentworth & 67 others, the 24th Oct'r 1761, by the name of New Holderness. [Since changed back to Holderness.]
(3) Now called Lisbon.
(4) Now Orange.
(5) Now Littlelon.
(6) Now Jefferson.

[*Journal of the House resumed.*]

[P. 167.] Ordered that Capt. Gidding, Col° Toppan, Col° Bartlett and Mr. John Pickering & Simeon Alcott, Esq. be a Com^tee to prepare such Laws as they shall think proper to be Enacted in the Recess of the House and present to the House at their next meeting or as soon as may be, — then Wm. Parker added.

. . . .

Wednesday 19.

Upon reading the petition of Andrew Mc'Millan agent for the Town of Concord praying to be annexed to the County of Hillsborough &c.

Voted That the Petitioner cause the substance of the Petition and order of Court thereon to be printed three weeks successively in the New Hampshire Gazette, that the Petition^r and any party having an objection thereto may be heard thereon on the third day of the sitting of the Gen^l Assembly after the first Day of March next.

[The following is the Petition of Andrew McMillan, above referred to which will be found of general interest. — ED.]

To His Excellency John Wentworth Esqr. Capt. General Governor and Commander in chief in and over his Majestys Province of New Hampshire the Hon'ble his Majestys Council & House of Representatives in General Assembly convened the 18th day of Jan'y Anno Domini 1774.

The Petition of Andrew McMillan Esq^r Agent for the Inhabitants of the Town of Concord in the County of Rockingham and Province aforesaid, Humbly sheweth That said Town of Concord is Forty miles from Exeter and Fifty five miles from Portsmouth where the Courts of Justice are held for said County of Rockingham, and the Inhabitants of said Concord very little if any thing benefited by the late Division of this Province into Five Counties.

Secondly that many of the Inhabitants of the Towns in the north part of the County of Hillsborough have applied to your Petitioners Constituents and earnestly desired that the inconveniences they labour under may be represented to your Excellency and Honours which they say are

First as there is but one Superiour Court of Judicature in a year held in said County of Hillsborough and Prisoners committed for capital crimes must lay in Goal sometimes Eleven nine or six months according to the time they are committed before it can be known whether they are or are not guilty; and in case they should be acquitted your Petitioners constituents, humbly apprehend it a great Pity that they have suffered so long and if found guilty they think it a grievous burthen to maintain such bad subjects so long at the expence of poor honest industrious beginners in the Wilderness.

Secondly Creditors in General in said County of Hillsborough who incline to sue at any time except July term in said County are obliged to indorse their notes &c. over to persons who live in the County of Rockingham, or

other Counties & some to the Massachusetts, and the expence is as great as before they were a County.

Thirdly the place where the Courts are held in said County of Hillsborough is at such a Distance from them that they are of opinion that the Inhabitants of the south part of said County will not oppose their having justice done in that respect.

Fourthly that the situation of the Town of Concord is such that it will accommodate all the Inhabitants of the upper or northerly part of the said County of Hillsborough and give them general satisfaction.

Therefore the said Inhabitants of the Town of Concord by their said Agent humbly pray your Excellency & Honours that said Town of Concord may be annexed to the County of Hillsborough and that there may be annually held there one Superior Court of Judicature one Superior Court of general Sessions of the peace for said County, or otherwise act in the premises as your Excellency & Honours Wisdom for the benefit of his Majesty's Subjects shall direct and your Petitioners by their said Agent as in Duty bound will ever pray, &c.

ANDREW McMILLAN.

Portsmo' Jan'y 18th 1774.

In Council Jan'y 19th 1774.

[P. 168.] Friday 21.

Answer to the Gov^rs message of the 12^th Inst. Read, accepted & voted to be sent to the Gov^r by Col^o Toppan, Col^o Holland & Dr. Bartlett.

The answer was as follows: viz.

May it please your Excellency —

The House of Representatives apprehend it to be their duty in behalf of their constituents to acknowledge the justness & Propriety of your Excellency's sentiments expressed in your message to the House at the opening of the present Sessions & consider it as an Evidence of the continuance of Paternal care & regard for the welfare of the Province, since that so much depends on the existence of good Laws in Gen^l & especially those you point out in Particular for there can be no doubt of the evil consequence of counterfeiting or Debasing of the Public money & the great calamity of any infectious Distemper among the People Prevailing & spreading is as evident as that their health is necessary to their prosperity. The House therefore think it their duty to pay all due attention to what comes so reasonably Recommended & have appointed a Com^tee to consider of & prepare the necessary Bills.

Your Excellency will we trust give us leave to congratulate you on the agreeable Informa^n of your success in the affair of the complaint of Peter Livius, Esq. and of his Majesty's approbation of your administration & conduct in the Public concerns of this Province. Had it been otherwise, We and (as we apprehend) our Constituents would have been greatly grieved & Disappointed, but now will heartily acquiesce and Felicitate themselves on this happy Event. We hope all other ill grounded Complaints of the like nature will meet with the like catastrophe. It remains to add our sincere Desires & prayers for your auspicious & successful administration in which both your Excellency & the People under your charge may long enjoy mutual satisfaction.

JN^o WENTWORTH, Speaker.

[p. 170.] Saturday, February 5th.

Voted That Simeon Alcott, Jacob Sheafe & John Sherburne Esqrs be a Comtee to prepare answers to the several letters Received from the Speakers of the House of Maryland, Connecticut & Massa Bay & lay the same before the House next week if this House be then sitting, & if not to send them to the Speaker of this House to be by him signed & forwarded to the several speakers.

Tuesday 8.

A member for Rye & Newcastle returned to the House, [Name not mentioned] and sworn in accordingly.

Capt. John Waldron returned a representative for Dover & was sworn.

Thursday 10.

Mr. Brackenridge's Petition considered & debated (*a*).

(*a*) Jour. C. & Assm. Jan. 12, 1774. The petition of James Brackenridge as Agent to & in behalf of a great number of Inhabitants West of Connecticut River praying the assistance of the General Assembly relative to a Petition preferred (by him) to his Majesty in Council praying to have ye Jurisdiction of certain Lands on the West side of Connecticut river heretofore included within the jurisdiction of this Province but now by his Majtys order under New York, restored to this Province & the General Assembly would Please to appoint the Honbl Paul Wentworth in London their agent to negotiat that affair — which Petition was read at the Board & sent down to the House.

In the House of Representatives, Feb. 10, 1774.(1)

Upon hearing & considering Mr. James Brackenridges Petition in behalf of himself & others praying that the Government would concur with him & his associates in the appointment of the Honbl Paul Wentworth of London, Esqr as agent to prefer & prosecute a Petition before his Majesty in Council for the Restoration of the Jurisdiction of the Lands heretofore granted by the late Governor Benning Wentworth on the Western side of Connecticutt River to the Government of New Hampshire, Voted that the said Paul Wentworth Esqr be & hereby is appointed agent in behalf of this Government for that purpose to use all adviseable means & measures to obtain his Majesty's order on the Same Petition to restore the same Lands to the Jurisdiction of this Government, Provided the said Paul Wentworth Esqr be furnished with money from the said Brackenridge and associates for

(1) This is entered in the Journal of the House, on page 182.—Ed.

Prosecuting the same & without any cost or charge to this Province.(*a*)

J. Wentworth, Speaker.

(*a*) Votes. acc^{ts}, petitions &c. passed on in the House & concurred by the Council from January 11th to February 12th, 1774.

Jour. C. & Assm. Petition of inhabitants of New Boston for a tax on of one penny pr lands acre for six years, for clearing roads, paying a minister, &c. — hearing granted.

Vote appointing Joseph Peirce recorder of deeds and conveyances &c. for Rockingham County, until the 10th of May next, on usual conditions.

Francestown petition for a tax of one penny & a half per acre on all lands for two years for building a meeting house, settling a minister, &c. — leave to bring in a bill with an amendment non-concurred, that the land belonging to the Purchasers of Mason's patent be exempted from said tax; afterwards agreed to.

A resolution adopted that James Stinson of Dunbarton might exchange part of two lots in s^{d} town for the School lot.

Petition of Abiel Foster of Canterbury relative to certain Proprietary papers, for their authentication — a committee appointed to examine them.

Petition from Hampton-falls, for liberty to proceed in assessing taxes or make a new Invoice &c. — leave to bring in a resolve.

Petition of Andrew McMillan, that Concord might be annexed to Hillsboro' Co. — hearing granted.

Petition of John Moloney to make void sundry Proprietors meetings in Canterbury — hearing granted.

Acc^{t} of Col^{o} Goffe for expense in holding town meetings to raise the Province tax, &c. allowed £9: 0.

Petition of Theophilus Hardy about the loss of an execution — hearing granted.

A vote allowing the town of Deerfield to lay a tax of one penny pr acre, on lands for three years, for the use of repairing and making high ways only.

Petition of sundry towns in Hillsboro' Co. for a rehearing in Court of the case of Joseph Kelly, confined in Amherst goal — hearing granted.

Acc^{t} of Jon^{a} Chase for loss by escape from goal of Nathan Longfellow — allowed £4: 11.

Vote appointing a Committee to farm out the Excise, &c.

Petition of John Sherburne Esq. & Joseph Peirce for leave to exchange about £90 in Paper money in the Treasury — hearing granted.

A resolve passed that fines & forfeitures be paid into the respective County treasuries.

Petition of Samuel Hale for leave to exchange £12 in Paper money, at the Treasury — granted.

A committee appointed to examine & report on the acc^{t} of Ammi R. Cutter et alii for surveying a road from Conway to Connecticut river — allowed £306: 11: 4.

Petition of Joseph Senter relative to his loss £22: 11: 3 in laying out a road from the Governor's house in Wolfeborough to Pemigewasset river — hearing granted.

Benjamin Butler allowed £30 for a mistake made in the purchase of y^{e} Excise on Spirits.

Friday 11th.

Read & voted Sundry letters to the Speaker of the House of Represen^{ts} at Boston, Connecticut & Maryland.

NOTE BY THE EDITOR.

[It appears from the *Journal of the Council and Assembly*, that on the 12th of February, the Governor was pleased to Prorogue the General Assembly to Thursday the 10th day of March next, then to meet at Portsmouth at ten o'clock, A. M., and, "his Excellency by his Proclamation dated March 7th 1774, was Pleased to Dissolve the General Assembly and accordingly they were

DISSOLVED."

CORRESPONDENCE.

[P. 171.] *A letter from the Speaker of the House of Representatives of Massachusetts to the Speaker of the House in New Hampshire.*

Province of the Massachusetts Bay, June 3, 1773.

SIR — The House of Representatives of this Province being earnestly attentive to the controversy between Great Britain & the Colonies and considering that the authority claimed and exercised by Parliament on the one side & by the General Assemblies of this Continent on the other, greatly militates & so is productive of this unhappy contention, think it of the utmost Importance to the welfare of both & Particularly of the Colonies that the Constitutional Rights & Powers of each be enquired into, delineated and fully ascertained. It is

That his Majesty's subjects of America are intitled to the same Rights and Liberties as those of Great Britain and that these ought in Justice by the Constitution to be as well guaranteed & secured, to the one as to the other, are truths too apparent to be denied.

It is by this House conceived to be likewise undeniable that the authority assumed & now forceably exercised by Parliament over the Colonies is utterly subversive of freedom in the latter, and that while his Majesty's loyal subjects in America have the mortification daily to see new abridgments of their Rights & Liberties they have not the least security for those which at present Remain; were the Colonies only affected by a Legislative subject to their controul they would even then have no other security than belongs to them by the Laws of Nature & the English Constitution, but should the authority now claimed by Parliament be fully supported by Power or submitted to by the Colonies, it appears to this house that there will be an End to Liberty in America & that the Colonists will then change the Name of freemen for that of Slaves.

In order to adjust & settle these important concerns the free & magnanimous Burgesses of Virginia have proposed a method of uniting the Counsels of its sister Colonies & it appearing to this House to be a measure very wise & Salutary is cheerfully received and heartily adopted. With very great respect to your honorable Assembly and in confidence that a matter which so nearly affects the safety of each Colony will be assisted by its wise Councils, permit this house to enclose a copy of Resolutions lately Entered into here, and Request that you'll communicate the same at a convenient opportunity.

In the Name and by order of the House,
I have the honor to be with great truth & Regard,
your most obedient humbl servt.

THOMAS CUSHING, Speaker.

To the Speaker of the House of
Representatives in the Province of New Hampshire.

Resolves of the Massachusetts House &c.

[P. 177.] Province of the Massachusetts Bay.

In the House of Represent^{s} May 29th, 1773.

Whereas the Speaker hath communicated to this House a letter from the truly respectable House of Burgesses in his Majesty's Ancient Colony of Virginia Indorsing a copy of the Resolves enter'd into by them on the 12th of March last and requesting that a Committee of this House may be appointed to communicate from time to time with a Corresponding Committee then appointed by the said House of Burgesses in Virginia; — And Whereas this House is fully sensible of the necessity & Importance of an union of the several Colonies in America at a time when it clearly appears that the Rights and Liberties of all are systematically invaded, in order that the joint wisdom of the whole may be Employed in consulting their common safety:

Resolved That this House have a very grateful sense of the obligations they are under to the House of Burgesses for the Vigilance, Firmness and Wisdom which they have Discovered at all times in support of the Rights & Liberties of the American Colonies, and do heartily concur with them in their Said & Spirited Resolves.

Resolved That a Standing Committee of Correspondence and Enquiry be appointed to consist of Fifteen members any Eight of whom to be a Quorum whose business it shall be to obtain the most early and authentic Intelligence of all such Acts & Resolutions of the British Parliament or proceedings of Administration as may relate to or affect the British Colonies in America & to keep up & maintain a Correspondence with our sister Colonies respecting these Important Considerations and the Result of such their proceedings from time to time to lay before this House.

Resolved that it be an Instruction to the said Committee that they do without delay inform themselves Particularly of the Principles and authority on which was constituted a Court of Enquiry held in Rhode Island said to be vested with Powers to transport persons accused of offences committed in America to places beyond the seas to be tried.

Resolved that the said Committee be further Instructed to prepare & Report to this House a Draft of a very respectful answer to the Letters received from the Speaker of the Hon^{ble} House of Burgesses of Virginia & the Speaker of the Hon^{ble} House of Represent^{s} of the Colony of Rhode Island, also a Circular letter to the speaker of the several other Houses of Assembly on this Continent Endorsing the aforesaid Resolves and requesting them to lay the same before their respective Assemblies in Confidence that they will readily & chearfully comply with the wise & salutary Resolves of the House of Burgesses of Virginia. Then the House immediately made choice of the following Gentlem^{n} to be the Com^{tee} of Correspondence & communication [P. 178.] with the other Colonies, viz. Mr. Speaker, Mr. Samuel Adams, the Hon^{ble} John Hancock, Esq^{r}., Mr. Wm. Phillips, Capt. William Heath, the Hon^{bl} Joseph Hawley, Esq., the Hon^{ble} James Warren, Esq^{r}., Richard Derby jun^{r}, Esq^{r}, Mr. Elbridge Gerry, Jerahmeel Bowers, Esq^{r}, Jedediah Foster Esq^{r}, Daniel Leonard, Esq^{r}, Capt. Thomas Gardner, Capt. Jonathan Greenleaff & James Prescott, Esq^{r}.

A true Copy Sam^{l} Adams, Cler.

Entered according to said copy pr William Parker of the Assembly.

Answer to the foregoing by Hon. John Wentworth, Speaker of the House of Representatives of New Hampshire.

Portsmouth, New Hampshire, Feby 7th 1774.

By Reason of several Prorogations the House of Represets of this Province have not had an earlier opportunity of consulting together Since the Receipt of your letter & the Resolves accompanying the same of the 3d of June last, the Contents of which they now observe highly approving & concurring therewith.

By the best Intelligence we can obtain it appears that the British ministry are Resolved in a great Degree if not fully to Enslave the Inhabitants of the Colonies in America subject to the Crown of Great Britain, if by any means they can effect it, which much concerns the Americans to withstand and Prevent. The proposed method of union in all the Colonies hath ever appeared to us since the first Recommendation thereof to be absolutely necessary, for which purpose this House adopted the Resolves of the very respectable house of Burgesses in his Majesty's ancient Colony of Virginia & chose a Committee of Correspondence consisting of seven persons in May last as you'll please to observe by the Enclosed extract.(1) You may therefore Depend on the ready concurrence of this House with the measures tho't necessary to be pursued by the other Colonies in the cause of Liberty. We would gratefully acknolwedge the Prudence & Vigilance of the Patriotic Houses of Virginia & the Massachusetts Bay in so early taking & sounding the American Alarm. Be assured also of our Assistance (small as it may be) by contributing all in our Power to promote a General union thro' the Colonies which we hope will be so strongly cemented as not to be easily Dissolved.

In the Name & by order of the House, &c.

J^o^ WENTWORTH, Speaker.

To the Honble Speaker of the House of Representatives of the Province of Massachusetts Bay, Esqr.

[P. 179.] *Letter from the Speaker of the House of Representatives in the Colony of Connecticut.*

Fairfield in Connecticut, 24 June, 1773.

SIR—I have it in command to transmit to you the Enclosed Resolutions of the House of Representatives of the Colony of Connecticut by which you will see that they have fully adopted the measures proposed by the Patriotic House of Burgesses of the Colony of Virginia and request you to lay the Same before the House of Representatives of the Province of New Hampshire, that they may if they see fit adopt similar measures and appoint a Committee of Correspondence who shall communicate from time to time with the Committee appointed by the House of Representatives of the Colo of Connecticut, on such matters as may by them be adjudged to affect the common Interests of the British Colonies on the Continent of America.

I have the honor to be with great truth
& Regard, Sir, your most obedt Humble servt

EBENEZER SILLIMAN.

To the Honble Speaker of the House of Representatives of the Province of New Hampshire.

(1) See Entry in *Journal of the House*, May 28, 1773, *ante* p. 329.—ED.

Connecticut Resolves.

In the House of Representatives of the Colony of Connecticut.
Friday 21st of May, 13 Geo. 3d 1773.

Mr. Speaker having laid before the House a letter from the Speaker of & certain Resolutions Entered into by the House of Burgesses of the Colony of Virginia on the 12th of March last of the following Tenor viz:

[Here follow the Virginia Resolves as already printed on p. 330.— Ed.]

This House taking into consideration the contents of said Letter, the aforesaid Resolutions and the Reasons on which they are grounded, are of opinion that they are weighty and important in their nature & design calculating & Tending to produce happy & salutary Effects in securing & supporting the Ancient Legal & Constitutional Rights of this & the Colonies in General, Do therefore Approve of & Adopt the measure, and thereupon Resolve,

That a Standing Committee of Correspondence & Enquiry be appointed to consist of nine Persons, to wit — the Honble Ebenezer Silliman Esqr, William Williams, Benjamin Payn, Saml Holden Parsons, Nathl Wales, Silas Dean, Saml Bishop, Joseph Trumbull, & Eratus Wolcott Esqrs, whose business it shall be to obtain all such Intelligence & to keep up & maintain correspondence and communication with our sister Colonies respecting the important considerations mentioned & Expressed in the aforesaid Resolutions of the Patriotic House of Burgesses of the Colony of Virginia & the Result of such their proceedings from time to time to lay before this House.

Resolved, That the Speaker of this House do transmit to the Speaker of the Different Assemblies of the British Colonies on this Continent copies of these Resolutions & request that they would come into similar measures & communicate from time to time with the said Committee on all matters wherein the Common Welfare and safety of the Colonies are concerned.

The foregoing Resolutions being severally read a third time were on the Question put agreed to by the House.

A true copy extracted from the Journal.,

Attest, William Williams Cler. D.R.

Answer to the foregoing letter, by Hon. John Wentworth, Speaker of the House of Representatives, &c.

[P. 180.] Portsmouth, New Hampshire, 7th February 1774.

Sir — Your agreeable favor of the 24th June last Enclosing the Resolves of the Honble House of Representatives of the Colony of Connecticut, I had the honor to Receive; and on the first meeting of our Assembly I took the earliest opportunity to lay the Interesting papers before them, whose unanimous direction I have to assure your Honble house that in every Constitutional plan for securing the Rights of British America & removing the present Infringements thereon our sister Colonies may rely we sincerely join. having no wish for ourselves of an exclusive nature in those matters, ever looking on the whole as Embarked in the same common Bottom, and so Represented it in an Address to Lord Dartmouth at our first meeting after his appointment for American affairs. The proposed method of union in all the Colonies hath ever appeared to us (since the first recommendation thereof) to be absolutely necessary, for which purpose this House adopted the Resolves of the Respectable House of Burgesses of the Colony of Virginia & in May last appointed [a Committee of Correspondence] as you will observe

by the Enclosed extract from the Journals. You may therefore Depend on the ready concurrence of this House with the measures tho't necessary to be pursued by the other Colonies in the glorious cause of Liberty.

In the Name & by order of the House, I have
the honor to be with great Regard, Sir,
your most obed^{t} Humble Serv^{t}.

J. WENTWORTH, Speaker.

To the Hon^{bl} Speaker of the House of Representatives of the Colony of Connecticut.

Entered according to the Originals pr Wm. Parker, cler. of the Assm.

Letter from the Speaker of the House of Representatives in Maryland.

Maryland, Dec^{r} 21, 1773.

Sir — Having received a Letter from the Speaker of the House of Burgesses of the Colony of Virginia Endorsing the Resolutions of that House of the 12th of March last, copies whereof I presume have been transmitted also to you, I took the Earliest opportunity of Laying them before the House of Delegates of this Province, who sensible of the great utility of a Perfect union amongst the Colonies, most Readily adopted the measures proposed and came to the Resolutions which I have now the honor to endorse & which I have in command to transmit to you. I request you will lay them before your House of Representatives at their next meeting; & I am with great regard,

your most obed^{t} Servant

MAT. PILGHMAN.

To the Speaker of the House of Representatives of the Province of New Hampshire.

Resolutions of the House of Assembly of Maryland.

[p. 181.] By the Lower House of Assembly,
Friday, Octob^{r} 15th 1773.

The order of the day being read the House took in consideration the several Letters & other Papers communicated to this House by the Hon^{bl} Speaker and addressed to him by the Hon^{bl} the Speakers of the several Colonies of Virginia, Massachusetts Bay & Connecticut and Rhode Island, & Resolved unanimously that this House most cordially accept the Invitation to a mutual correspondence & Intercourse with our Sister Colonies.

Resolved unanimously, That a Standing Committee of Correspondence & Inquiry be appointed, to consist of Eleven persons, to wit: the Hon^{bl} Matthew Pilghman (1) Esquire, Speaker, John Hall, Thomas Johnson, William Paca, Samuel Chase, Edward Lloyd, Matthias Hammond, Jonas Beall, James Lloyd, Chamberlain Brice, Thomas Beale Worthington, & Joseph Sim. Esquires, any six of whom to be a Committee whose business it shall be to obtain the most early and authentic Intelligence of all such Acts and Resolutions of the British Parliament or Proceedings of Administration as

(2) This name in our Records is plainly written Pilghman; in the printed Records of Rhode Island, it is Tilghman.—ED.

may relate to or affect the British Colonies in America, & to keep up and maintain a Correspondence & Communication with our Sister Colonies respecting these important considerations, and the Result of such their Proceedings from time to time to lay before this House.

Resolved unanimously, That the Speaker of this House Transmit to the Speakers of the British Colonies on the Continent Copies of the above Resolutions.

Extract from the Journal of the Lower House
of Assembly of the Province of Maryland,

pr Jn° Duckett, Clr. L. Ho.

Entered according to the original pr

William Parker, Clr. Assembly.

Answer to the foregoing, by Hon. John Wentworth, Speaker of the House, &c., of New Hampshire.

Portsmouth, New Hampshire, January 27, 1774.

Sir — Your favour of the 21st of December last came to hand at a time when the House of Representatives here were sitting & consulting on the public affairs of the Province. I have laid your letter & Resolves before the House, who unanimously concurred in the approbation of your Patriotic Sentiments & attention to the Gen^l welfare of the Colonies & the best measures for the Defence & security of the whole against the designs of those who are for reducing them to a state of Slavery, & we think with you a general Union [p. 182.] will be the best measure that can be agreed on at Present: for which purpose this House adopted the Resolves of the very respectable House of Burgesses of the Colony of Virginia in May last, & appointed a Committee of Correspondence as you will observe by the Enclosed extract. You may therefore Depend on the Ready concurrence of this House with the measures tho't necessary to be pursued by the other Colonies in the great cause of Liberty.

In the name and by order of the House, I have the Honor to be with
Great Respect, Sir,
Your most Obedient Humble Serv^t,

J. Wentworth, Speaker.

The Hon^bl the Speaker of the House of Delegates
of the Province of Maryland.

Entered according to the original,

pr. Wm. Packer, Clr.

A NEW ASSEMBLY CONVENED.

Province of }
New Hamp^{r} }

[P. 187.] *A Journal of the House of Representatives for the Province of New Hampshire convened the seventh Day of April in the fourteenth year of his Majesty's Reign Annoque Domini* 1774, *at the Province House in Portsmouth in s^{d} Province.*

Thursday, April 7th 1774.

Present in the House about thirty of the members Return'd to serve in General Assembly.

The Dep^{y} Sec^{y} came into the House & by his Excellencys Direction adjourned the General Assembly till tomorrow Eleven o'clock.

Fryday Apr^{l} 8th 1774.

The members Return'd were present in the House, viz. for

Summersworth,	Col^{o} John Wentworth Esq.
Portsmouth	Mr. Jacob Sheafe Sam^{l} Cutts, Esq. Capt. Woodbury Langdon
Dover	Capt John Waldron Capt. Caleb Hodgdon.
Hampton	Christopher Toppan, Esq. Mr. Josiah Moulton, 3^{d}
Hampton Falls,	Hon^{bl} Meschech Weare.
Exeter	John Giddings Esq^{r}
	Col^{o} Nath^{l} Folsome Esq.
New Castle	Mr. Henry Prescott.
Rye	Mr. Samuel Jenness
Kingstown,	Col^{o} Josiah Bartlett Esq^{r}.
Newington,	Richard Downing, Esq^{r}.
Stratham	Capt. Stephen, Boardman.
Londonderry	[Col. Stephen Holland] (1)
Greenland	Col^{o} Clement March Esq^{r}
Durham	Ebenezer Thompson Esq^{r}
Newmarket	Israel Gilman, Esq^{r}
[P. 188.] South Ampton	Capt. Eliphalet Merrill.
Chester	John Webster Esq^{r}

(1) The said member did not appear and take his seat till the 11th of May, 1774.

Plastow, Hampstead, Atkinson	Capt. Jon[a] Carlton
Salem & Pelham	Major Joseph Wright
Holles	Maj[r] Sam[l] Hobart, Esq[r]
Merrimack	[Capt. John Chamberlain.] (1)
Nottingham W. & Litchfield	James Underwood, Esq.
Kensington	Capt. Ezek[l] Worthen
Rochester,	Deacon James Knowles
Barrington,	Mr. Joshua Foss
Amherst & Bedford	Col[o] John Goffe, Esq[r]
Winchester	Col[o] Sam[l] Ashley, Esq[r]
Keen	Mr. Benj[a] Hall
Charlestown	Mr. Sam[l] Hunt.

[Of his Majesty's Council, there were present]

His Excellency the Governor,

Theodore Atkinson Daniel Warner Jonathan Warner Dan[l] Rindge	Esq[s]	George Jaffrey Daniel Rogers Peter Gillman Tho[s] W[k] Waldron	Esq[s]

The Hon[bl] Theodore Atkinson, Daniel Rogers Peter Gilman and Tho[s] Westbrook Waldron, Esq[rs] came from the Board and acquainted the members that they were directed by his Exc[y] the Governor to administer the Oaths to the members Return'd, which being done and the Oaths and Declaration subscribed by the members, they Return'd.

The Hon[bl] George Jaffrey, Jonathan Warner and Daniel Rindge Esq[s] came from the Board and Inform'd the members that his Excellency Required them immediately to Proceed to the choice of a Speaker and present him for approbation.

The House immediately Proceeded to the choice of a Speaker, and the Hon[bl] John Wentworth Esq[r] was unanimously chosen.

Mr. Sheafe, Mr. Toppan, Mr. Giddinge & Mr. Weare were sent to the Board to inform his Excellency that the House had made choice of the Hon[ble] John Wentworth, Esq[r] for their Speaker.

[p. 189.] The Hon[bl] Theodore Atkinson, Jonathan Warner & Daniel Rindge Esq[rs] came from the Board and inform'd the House that his Excellency approved of their choice of a Speaker and Required the immediate attendance of the Speaker and the House in the Council Chamber.

The Speaker and the House attended immediately in the Council Chamber, when his Exc[y] was Pleased to make a Speech to both Houses and then the Speaker and the House Return'd.

(1) The said member did not appear and take his seat till the 11th of May, 1774.

The Governor's Speech.

Gentlemen of the Council & of the Assembly —

It affords me great satisfaction that at my first meeting of this General Assembly I may congratulate them on the prosperous and growing state of the Province, which is of late years increased in Culture, Commerce & Population, while the same time the Provincial Taxes are greatly Diminished to Individuals. In this State of the Public affairs I having nothing directly in Command from his Majesty to lay before the General Assembly I shall at present recommend to your consideration the Business which at this time is usually done.

Mr. Speaker & Gentlemen of the Assembly —

I have directed the Treasurer to Prepare the Provincial accounts which will be ready for your Inspection whereby you will be more able to determine on what may be proper to grant for the support of his Majesty's Government the present year.

Gentlemen of the Council and Assembly —

The experience of Prosperity resulting to the Province from former Harmony & Diligence is the strongest recommendation for the continuance of those Principles. The public good is our General Duty, and will be most for his Majesty's service. Both houses of Assembly may be sure of my cheerful concurrence therein.

J^WENTWORTH.

Council Chamber, New Hamp^r
April 8^th 1774.

The House then proceeded to make choice of a Clerk, and Meshech Weare, Esq. was chosen and sworn to the Faithful Discharge of that office.

The Clerk was sent to the Board to Desire his Exc^y to favour the House with a copy of his Speech.

Voted, That Mr. Speaker, Mr. Weare, Mr. Toppan and Mr. Langdon be a Com^tee to prepare an answer to his Exc^ys Speech. Adjourned.

[P. 190.] Saturday April 9^th 1774.

The Com^tee for Preparing an Answer to his Excy^s Speech, laid the following Draft before the House, viz.

May it please your Excellency —

The House of Representatives in answer to your Excy^s Speech to both Houses of Assembly at their first meeting beg leave to observe that the present growing state of the Province gives them the greatest Satisfaction; and its being so free from Debt, for which Reason the Provincial Tax will be light to Individuals, affords them an additional Pleasure.

When the Treasurer's Acc^ts are laid before this House they will immediately proceed to the examination of them and make the Proper Grants, and your Exc^y may be assured that whatever may be laid before this House from time to time or may be their part to act will be attended to and will meet with all proper Dispatch. In order to accomplish which they are Deeply Sensible that a Good Harmony ought to subsist between the different Branches of the Legislature — which princi*pal* they trust will be carefully cultivated.

Which being Read, Voted, That it be presented to his Excy in answer to his Speech.

Mr. Weare, Mr. Toppan and Mr. Langdon were appointed to wait on his Excy with said answer.

The Treasurer Bro't his Accts into the House and delivered them to the Speaker.

The Depy Secy Bro't Down the following written Message from his Excy, viz.

Mr. Speaker and Gentlemen of the Assembly —

I am always disposed to render your attendance in General Assembly as convenient to your private affairs as the Publick service will admit: And not foreseeing any Detriment that can arise from complying with your verbal Message of this day, Requesting a Recess at this time, I do Prorogue the General Assembly to Tuesday the 10th Day of May next then to meet at Portsmouth at ten o'clock, A. M.

J'WENTWORTH.

Province of New Hampr
Council Chamber Aprl 9th 1774.

Attest M. Weare, Clr. of House of Repsv.

South boundary line of New Hampshire.

[Copied from Belk. Pap. p. 319.]

The point at Hinsdale where the Southerly Line of the Province of New Hampshire strikes Connecticut River, lies in 42° 43′ 59″ North Latitude, and the Pine Tree from whence this line begins lies in 42° 41′ 2″, (both Latitudes are deduced from accurate Astronomical observations taken by Mr. Wright,) but had this line been run on a due West course deducting the variation of the Needle, the point where it meets Connecticut River should lie in the same Parallel of Latitude with the Pine Tree; now it appears the difference of Latitude is 2 miles and 57 seconds of the Equator, and the extent of the line from the Pine Tree to the Connecticut River is found to be 55 statute miles from an actual survey; These lines form the Base and Perpendicular of a Triangle containing 59872 acres, which quantity of Land the Province of New Hampshire would have gained, had this line been run on a due West course, from the Pine Tree, exclusive of variation.

GEO. SPROULE.

Portsmouth, 8th April, 1774.

[P. 192.] Tuesday May 10th 1774.

The House met according to Prorogation.

Voted That Mr. Jacob Sheafe, Capt. Woodbury Langdon and Josiah Bartlett Esqr be a Comtee of this House to joyn with such as shall be appointed by the Honbl Council to examin & Audit the Treasurer's Accts and make Report to the Genl Assm as soon as may be. Sent up by Mr. Cutts. [Concurred, Theo. Atkinson, Jona Warner and Peter Gilman, Esqs. were added.]

Voted That Mr. Jacob Sheafe be a Comtee to wait on Doctr Langdon and Doctr Haven to Desire that they would alternately attend and Pray with the Genl Assm.

[P. 193.] Thursday May 12th, 1774.

Whereas it appears that it will be for the advantage of the Province That the Treasurers Notes now outstanding on the Credit of this Province should be immediately redeemed by the Money now in the Treasury.

Voted, That the Honble George Jaffrey Esqr and Capt. Woodbury Langdon be a Comtee to Redeem said Notes as soon as may be and on the best terms they can. Sent up by Colo Toppan. [Concurred.]

[P. 194.] The House took under consideration the petition of the Selectmen of Candia and Raymond Respecting the choice of a Representative in the Town of Chester, and the Parties being heard thereon by their Council and the arguments fully considered and it appearing that the freeholders of Candia & Raymond Qualified to vote in the choice of Representatives have a right of voting with the Town of Chester and were not properly Notified, It appears to this House that the Election of John Webster Esqr to Represent said Town of Chester is illegal, and

Voted That said Election be set aside and that a Precept issue from the Speaker of this House to the Selectmen of Chester to call a meeting to choose a Representative for said Town of Chester giving Proper Notice.(a)

[(a) On Petition of inhabitants of Barrington, the Election of Joshua Foss, jun., As represented was set aside & a new election ordered. Also a petition of Inhabitants of Plaistow, Hampstead & Atkinson, respecting the election of a Representative, a hearing was granted. Also on petition of inhabitants of Londonderry & Windham respecting the choice of a Representative for Londonderry, was considered, and ordered that notice be given to Samuel Livermore, Samuel Barr and Stephen Holland Esqr— of a hearing.]

Fryday May 13, 1774.

[P. 195.] The petition of John Parker Esqr Respecting selling or Exchanging the Prison Lott being considered,

Voted, That the Prayer of the Petition be granted and that the Petitioner have liberty to bring in a Resolve appointing the Honbl Daniel Rindge Esqr Colo March and Colo Bartlett a Comtee and authorizing them to make sale of the Lott of land upon which the Prison in the Town of Portsmouth in the County of Rockingham now stands to the best advantage they can: The money Produced by the sale to be by them Laid out for the Purchasing other land more convenient for Building a Prison upon for said County: or to Exchange said Lott for other land for that use only. Said Comtee Rendring an account of these Proceedings to the General Assembly.

[The following is the Resolve.]

[p. 201.] Province of New Hampshire } In the House of Representatives May 8th 1774.

Whereas John Parker of Portsmouth in the County of Rockingham, Esqr Sheriff of said County, presented a Petition setting forth that he was appointed a Committee by the Court of General Sessions of the Peace holden at Portsmouth within & for said County of Rockingham on the Eighth Day of February, A. D. 1774, to apply to the Legislative Body of the Province of New Hampshire to authorize some person or Persons to make sale of, or exchange for other Lands, the Lot of Land upon which the Prison of the County aforesaid stands in Portsmouth, in order that some more convenient Place in Portsmouth may be procured upon which a new Goal for the said County may be built; which said Petition being read & fully considered, therefore

Voted & Resolved, that Daniel Rindge & Daniel Rogers Esqrs of his Majesty's Council & Clement March & Josiah Bartlett Esqrs. of the House of Representatives, or any three of them be appointed a Committee, & they are hereby authorized & impowered to make sale of the Lot of Land upon which the Prison in the Town of Portsmouth aforesaid stands with the dwelling House on the same, reserving those parts of the present Goal that will do to use in erecting the new Prison as the Committee for building the new Goal shall think proper, & they are hereby fully impower'd to give the Purchasers a good & valid Deed of the same, and are also hereby directed to lay out the money arising from the said Sale towards purchasing other Land more convenient for building a Prison upon, or to receive other Land in exchange for the same & to take a Deed thereof to themselves for that use; & then the said Committee are hereby further directed to render an account of their Proceedings in this matter to the General Assembly of the Province aforesaid as soon as they have compleated the Business which by this Resolve they are appointed and authorized to do. Sent up by Col. Bartlett. [Concurred.]

J. Wentworth, Speaker.

P. M.

[p. 196.] The Comtee for Examining the Treasurer's Acct Brot the same into the House with the following Report thereon, viz.

Province of New Hampr } Portsmouth May ye 13th 1774.

We, being appointed a Comtee by the Genl Assy to examine the accompt of the Honbl George Jaffrey Esqr Treasurer Have attended that service and carefully examin'd the foregoing acct and find the same Right cast and well vouched, and accordingly beg leave to Report the same: Ballance due to the Province five thousand five hundred and sixty Eight Pounds Eleven shillings and three Pence half-peny Lawfull money, and outstanding Taxes three hun-

dred Pounds fifteen shillings & five pence three farthings Lawfull money. The whole amounting to five Thousand Eight hundred and sixty nine Pounds six shillings & nine Pence one farthing Lawfull money, and that the Treasurer charge him therewith in his next accompt.

£5568: 11: 3 1-2
300: 15: 5 3-4

5869: 6: 9 1-4 Law^{l} m^{y}

Theodore Atkinson
Jonathan Warner
Peter Gilman
Jacob Sheafe
Woodbury Langdon
Josiah Bartlett

Voted That Samuel Cutts Esq^{r} Capt. Langdon Col^{o} Toppan Col^{o} Foulsam & Mr. Samuel Jenness be a Com^{tee} to see whether Galleries can be made & where Placed to accommodate Spectators or Auditors Disposed to attend on the Transactions of the Gen^{l} Ass^{m} and s^{d} Com^{tee} to Report to this House.

[p. 202.] Fryday May 20th 1774.

The Petition of Dea^{n} Stephen Boardman, Praying that managers of New Markett Lottery so called may be call'd upon to settle the accounts of their Proceedings in said Trust &c. Being Read,

Voted that the Prayer of the Petition be granted That the said Managers be Notified forthwith to Lay the accompts of their Proceedings in their said Trust before the General Assembly in order to be adjusted and settled. Sent up by Dea^{n} Knowles. [Concurred, with an amendment that the *other* managers be notified and a hearing had &c. which was accepted.]

[p. 210.] Thursday May 26th 1774.

Voted that there be allowed and Paid unto the Captain General of this Province for Payment of Officers, Soldiers Billeting firewood & candles for support of his Majesty's Fort William & Mary for one year, viz. from the 25th of March 1774 to the 25th of March 1775 the sum of Two hundred pounds Law^{l} money to be paid in four Quarterly Payments out of the money that is or shall be in the Treasury with advice of Councill. Sent up by Mr. Jenness.

[p. 212.] May 27th 1774.

The Sec^{y} Bro't from the Board the vote for an allowance for fort William & Mary with a verbal message from his Exc^{y} That he Tho't the allowance Insufficient and Desired some alteration

might be made by allowing a larger sum or appointing a Number of soldiers sufficient with proper allowance.

[p. 213.] The House took under consideration the message from the Gov^r by the Sec^y and came to the following vote, viz.

Voted that his Excellency the Capt. General be Desired to give orders for Inlisting three men to be posted at his Majesty's fort William & Mary for one year commencing the 25^th^ day of March 1774, under such officer as he shall appoint. The pay of the officer to be three Pounds pr month, and each private twenty-five shillings pr month and five shillings pr week for Billeting, and that there be allowed thirty cords of wood for the use of the fort for the said year to be paid out of the money in the Treasury when the muster Roll shall be allow'd by the Gen^l^ Ass^m^. Sent up by Col^o^ Foulsome & Capt. Waldron.

P. M.

Mr. Sec^y^ and Mr. Warner came from the Board with the vote for soldiers for the fort and observ'd That it was Insufficient which he took notice of in sundry Particulars and left the vote for the consideration of the House — Also a written Message from his Exc^y^ viz.

[p. 214.] *Mr. Speaker & Gentlemen of the Assembly* —

The vote of Assembly for the support of his Majesty's Castle William and Mary, Dated this day, appears to me to be so inadequate that it is my duty to inform the Assembly, that I do not think it safe to intrust so important a fortress to the care and Defence of three men and one officer: Also that the wages Billeting and fuel mentioned in said vote will by no means ingage able men in the service proposed, more especially as the money for the whole is to be Paid when the Muster Roll shall be allow'd, which necessarily implies an advance — the issue whereof is not provided. I therefore earnestly Recommend to the Hon^ble^ Ass^m^ to make such provision for the support of the Castle aforesaid as may Enable me to carry into Execution the intention of the grant.

J'Wentworth.

Council Chamber
New Hampshire,
27^th^ May, 1774.

Saturday May 28^th^ 1774.

Voted that the Hon^bl^ John Wentworth, Esq Speaker of this House, Samuel Cutts, Esq^r^ John Giddinge Esq^r^ Clement March Esq^r^ Josiah Bartlett Esq^r^ Mr. Henry Prescott & John Pickering Esq^r^ be a Com^tee^ of this House to correspond as occasion may [p. 215.] require with the Com^tees^ that are or may be appointed by the several Houses of Representatives in our sister Colonies and to exhibit to this House an account of such their Proceedings when Required.

The House taking into Consider^a^ the many & great Difficulties that have arisen & still subsist between our Parent country and the Colonies on this Continent & in particular the present dis-

tressing Circumstances of the town of Boston, came to the following Resolution, viz.

Resolved & voted That the Speaker of this House be directed to answer such letters from time to time as he may receive from any of the Houses of our sister Colonies Relative to the afores^d difficulties & to assure them that this House is ready to join in all salutary measures that may be adopted by them at this Important crisis, for saving the Rights & Priviledges of the Americans & promoting Harmony with the Parent state.

NOTE BY THE EDITOR.

[At this period several regiments of British troops were stationed in Boston, and the English Parliament had passed what was called the *Boston Port Bill*, by which the Port of Boston was legally precluded from the privilege of landing and discharging, or of lading and shipping, wares and merchandise, &c. In short the means of trade and even of subsistance were in great measure cut off, and the inhabitants were consequently reduced to great straits.

The following extract from a letter written by a Committee of the Town of Portsmouth to the Committee of Boston, shows the sympathy felt for them, at this time.]

Portsmouth, May 19, 1774.

"We think the late act of Parliament to shut up the port of *Boston* of the most extraordinary nature, and fatal tendency. We heartily sympathize with you under your present difficult and alarming situation; and we will exert ourselves to carry any plan into effect which may be concerted by the Colonies for the general relief. We sincerely wish you resolution and prosperity in the common cause; and shall ever view your interest as our own." *Am. An. 4th ser. Vol.* 1, *p.* 337.

Voted That his Excellency the Captain General be desired to give orders for inlisting Five men to be posted at his Majesty's Fort William & Mary from the 25^th^ of March 1774 untill the 25^th^ of March 1775 under such officer as he shall be pleas'd to appoint & that the Pay of the officer shall be Three Pounds lawful money pr month; & each private Twenty-five shillings like money pr month; & five shillings Lawful money pr week for billeting to be paid Quarterly by warrant from his Excellency on the Treasurer, the Muster Roll to be adjusted & allow'd by the General Assembly — And that there be Thirty cords of Fire wood allow'd & paid for out of the Treasury for the use of the aforesaid officer & soldiers during said time.(*a*)

(*a*) Votes, Petitions, acc^ts^, bills &c. passed on by the House and concurred by the Council from April 7^th^ to May 30^th^ 1774.

Jour C. & Assm. Petition of Abiel Foster for a Com^tee^ to examine Proprietors papers, &c. — hearing granted & Com^tee^ appointed.

Petition of inhabitants of southerly part of Deerfield to be incorporated a distinct Parish — hearing granted.

Petition of Martha Burleigh that her husband Andrew Burleigh (insane) might have a guardian — liberty to bring in a resolve for the appointment of Jacob Burleigh, a brother, as guardian.

Petition of Caleb Page of Dunbarton for exchange of School lot — hearing granted.

Petition of Selectmen of Plaistow, for aid in supporting Hugh Potter, a pauper — dismissed.

Petition of John Banfield to have a judgment on Referees case set aside — dismissed.

Joseph Pierce Esq. appointed Recorder of deeds and conveyances for Rockingham County for one year, on usual conditions.

Samuel Hobart Esq. Recorder of deeds, &c. for Hillsborough County for one year, on usual conditions.

Josiah Willard Esq. Recorder of deeds &c. for Cheshire County for one year, on usual conditions.

Allowed Eben[r] Thompson's Acc[t] for holding meetings for choice of officers, £6:11:6

Allowed John Parker's acc[t] as Sheriff, £7:2.

Vote for Governor's Salary, for one year from 13[th] of June, 1774, £700.

Vote for Governor's house rent, one year, £33.

Allowed Dr. Haven, & Dr. Langdon, as chaplains, each, £2:10.

Allowed Theo. Atkinson, Sec[y], one year, £40.

Allowed Sam[l] Livermore, Att. Gen[l], one year. £30.

Com[tee] appointed to examine Capt. Cochran's acc[t] about Light house.

Salary of Chief Justice, £80, and of associate justices £75, to be paid half yearly.

Thos. W[k] Waldron, Esq., appointed Recorder of deeds for Stafford County.

John Hurd, Esq. appointed Recorder of deeds &c. for Grafton County, on usual conditions.

Acc[t] of Com[tee] for selling Excise, allowed £7:14.

Acc[t] of Com[tee] for printing Laws, Allowed £1:14:0.

George King, Dep. Sec[y] allowed £10, for attending Sup[r] Court on their circuit.

Eleazer Russell, for postage of Gov[rs] letters, allowed £22:7:6.

Daniel Humphrey Esq. for engrossing Acts, allowed £2:0:6.

John Parker, Sheriff, allowed additional sum, for services, £5.

Petition of John Sullivan, Esq. about certain papers casually lost — hearing granted.

Dea. Stephen Boardman, Com[tee] to prepare an act for the better observance of the Sabbath.

Jn[o] Pickering for drawing acts, allowed £1:1:0.

James Reed, Esq. for holding meetings in Monadnock, Nos. 7 & 8, allowed £1:16.

Act passed for £1000 to be raised for supply of the Treasury.

[P. 216.] The Dep[y] Sec[y] came into the House and by his Exc[ys] Direction adjourned the Gen[l] Ass[m] to Monday next, three o'clock P. M.

Attest, M. Weare, Clr.

Monday May 30[th] 1774.

The Hon[bl] Jon[a] Warner Esq. came into the House & by his Exc[ys] Command adjourned the Gen[l] Assembly to Fryday the 3[d] day of June next, 3 o'clock P. M.

Friday June 3[d] 1774.

The Dep[y] Sec[y] came into the House & by his Excellency's Command, adjourned the Gen[l] Assembly to Monday the 6[th] Inst. 3 o'clock, P. M.

Monday June 6th 1774.

The Dep^{y} Sec^{y} came into the House by his Excellency's Command, adjourned the General Assembly to Wensday the 8th Inst. 3 o'clock, P. M.

Wens'day, 8, 1774.

Jour. C. & Assem. The Dep^{y} Sec^{y} by his Excellency's order sent Down to the House & read to the Assembly then Present the following Mess^{a}, viz.

Mr. Speaker and Gentlemen of the Assembly —

As I look upon the measures entered upon by the House of Assembly to be inconsistent with his Majesty's service & the good of this Government, it is my Duty as far as in me lies to prevent any Detriment that might arise from such Proceedings, I Do therefore hereby Dissolve the General Assembly of this Province and it is Dissolved accordingly.

J'WENTWORTH.

Province of New Hamp^{r}
Council Chamber 8th June 1774.

Extract of a letter from Governor Wentworth to the Earl of Dartmouth in relation to the foregoing affair dated New Hampshire, 8th of June, 1774.

[Copied from App. Belk. Hist. of N. H. Vol. III., p. 313, Dover, 1812.]

IN my letter No. 59, I had the honour to write to your Lordship, that the General Assembly of this province stood prorogued to the 10th day of May at which time they met and proceeded upon business. I took great pains to prevail on them not to enter into any extra Provincial measures, yet one of the members for Portsmouth read in his place the inclosed letter No. 1, to the committee of correspondence of Portsmouth, but the House then declined considerng it. On Friday, 27th of May, it was moved to appoint committees of correspondence, and after a warm debate, carried by a majority of two only: The next morning it was reconsidered, and carried by a majority of one only, and passed as by the inclosures No. 2 and 3. Immediately after this, the supply bill was passed and sent up to the Council, being withheld, as I imagine, for time to effect the other measure. I directly adjourned the Assembly, and kept them under short adjournments till this day, in hopes to obtain a suspension of these votes; but finding there were two letters in town for the speaker, which some of those who were most active, said, were to appoint a Congress of the Colonies, I considered it to be improper to admit their proceedings, and therefore immediately put an end to the committees (who have not as yet wrote or acted) and to the Assembly, by a dissolution in a message (No. 4, herewith transmitted) cautiously expressed, in such general terms, as to prevent any misrepresentations. The mode of dissolution after such short adjournments, which are attended by a few members, precluded any meeting of those persons to contrive undesirable measures, or pursue those in their private capacity, that were attempted as an Assembly, which has extremely disconcerted, and I hope will counteract, the efforts of those who strive to lead this Province into combinations with the Massachusetts Bay. Before the dissolution, all the usual and necessary business of the Province was completed, that no detriment can arise from my delaying to call an Assembly in expectation that a few weeks will convince those who may be members, of the imprudence an error of measures that tend to weaken or subvert the subordination of the Colonies."

NOTE BY THE EDITOR.

Before another assembly was called by Governor Wentworth, May 4th 1775, events of great interest to the Province transpired, which might here be inserted in the order of their occurrence. But in order to preserve the unity of the *Journal of the House* as entered, the editor deems it expedient to complete, in continuation, the record of the official proceedings and Acts of the House of Assembly, till the Governor issued his last Proclamation, and left the Province.

The intervening events, the details of which will succeed the *Journal of the House*, were, strictly speaking, *Revolutionary*, and as will be seen, had also in themselves a remarkable unity, at least of interest and purpose, and culminated in a *Declaration of Independence.*

A Journal of the House of Representatives of the Province of New Hampshire begun & held at Portsmouth in said Province on Thursday the 4th day of May, 1775.

Towns Represented.	Names of Members.	Days.
[P.218.] Somersworth	Hon^{bl} Jn^{o} Wentworth Esq^{r}.	8
Portsmouth	Mr. Jacob Sheafe	12
	Capt. Woodbury Langdon	10
	Capt. John Langdon	—
Dover	Otis Baker, Esq^{r}	8
	Capt. Caleb Hodgdon	9
Hampton	Capt. Josiah Moulton	9 pd.
	Mr. Josiah Moulton, jun.	10 pd.
Hampton-falls	Meshech Weare Esq^{r}	8 pd.
Exeter	John Giddinge	8
	Col^{o} Nath^{l} Folsom Esq^{r}	8 pd.
New Castle & Rye	Mr. Henry Prescot	11
	Mr. Sam^{l} Jenness	11
Kingstown	Col^{o} Josiah Bartlett Esq^{r}	8
Newington	Maj^{r} Richard Downing, Esq^{r}	11 pd.
Stratham	Deacon Stephen Boardman	11 pd.
Londonderry	Col^{o} Stephen Holland Esq^{r} (confiscated)	4
Greenland	Col^{o} Clement March Esq^{r}	10 pd.
Durham	Ebenezer Thompson Esq^{r}	9 pd.
New Market	Col^{o} Joseph Smith Esq^{r}	10
South Hampton	Capt. Eliphalet Merrill	6 pd.
Chester	John Webster Esq^{r}	10 pd.
Plaistow & Hampstead	Mr. John Calef	10 pd.
Salem & Pelham	Mr. Jacob Butler Jun^{r}	3
Hollis	Col^{o} John Hale Esq^{r}	2 pd.
Merrimack	Capt. John Chamberlin	5 pd.
Nottingham West & Litchfield	Wyseman Claggett Esq^{r} (1)	3 pd.

(1) Wyseman Claggett, Esq., was born in Bristol, England, August, 1721. Having received a liberal education in that country, he was admitted a barrister in the Court of King's Bench. He spent a few years in Antigua, West Indies, then came to this country and established himself as a lawyer in Portsmouth, and was appointed King's Attorney

Kensington	Maj. Nathaniel Healey Esq^{r}	8
Rochester	Dea. James Knowles	11 pd.
Amherst & Bedford	Mr. Paul Dudley Sargeant	—
Barrington	Mr. Joshua Foss	11
Winchester	Col^{o} Sam^{l} Ashley Esq^{r}	8 pd.
Keen	Capt. Isaac Wyman	—
Charlestown	Mr. Elijah Grout	3
Plymouth	Col^{o} John Fenton Esq^{r} (2)	
Orford	Israel Morey Esq^{r} (2)	
Lyme	—— Green Esq^{r} (2)	

[p. 220.] Thursday, May 4th A. M.

A number of the Elected Members met & were adjourned by the Deputy Secretary to Fryday the 5th In^{s} at Eleven of the clock in the forenoon.

Friday May 5th A. M.

The Hon^{ble} Theodore Atkinson Jonathan Warner Peter Gilman & John Sherburne Esq^{rs} came into the Assembly's Chamber & administered the usual Oaths to the members present & then returned.

The Hon^{ble} Theodore Atkinson, Jonathan Warner Peter Gilman & John Sherburne Esq^{rs} came from the Council Board with a Message from his Excellency that it was his Excellency's pleasure that the House proceed to the choice of a Speaker & present him to the chair for approbation.

The House then proceeded to the choice of a Speaker And unanimously chose John Wentworth Esq^{r}. [Approved by the Governor.]

His Excellency required the attendance of the Speaker and all the members in the Council Chamber.

The Speaker and House immediately waited on his Excellency in the Council Chamber where his Excellency was pleased to make a Speech to both Houses, after which they returned to their Chamber.

General for the Province in 1767. Previous to the Revolution he removed to Litchfield, where he possessed a large and valuable estate on the banks of the Merrimack. He represented that town, and some of the neighboring towns classed with it, several years in the General Court. From the first he belonged to the party of Liberty, was a member of the Committee of Safety, aiding in framing and carrying into effect the first temporary form of government for the State, under which he held the office of Solicitor-General. He died at Litchfield, December 4, 1784, in the sixty-fourth year of his age. [*See Ad. Ann. of Portsmouth, p.* 279.] — Ed.

(2) Afterwards voted, That "they should not be admitted to a seat in this House." [*See Jour. June* 13, 1775.] — Ed.

Governor's Speech.

[Copied from MS. Gov^rs Mess^a, Vol. III, p. 415.]

Gentlemen of the Council & of the Assembly —

As I cannot doubt but you will exercise your usual diligence in dispatching the ordinary Business of the Legislature, it becomes unnecessary for me particularly to urge your attention to that subject. You may be assured that I will give all the Facility in my Power to every measure that may be found condusive to the Public Good: For as it heretofore hath been, so shall it constantly remain the invariable object of my warmest wishes & ambition to promote the Happiness & Prosperity of his Majesty's Government and subjects of New Hampshire.

Mr. Speaker & Gentlemen of the Assembly —

It is incumbent on me at this Time to recommend to you the necessary supply for the support of his Majesty's Government for the current year, and I doubt not you will cheerfully make proper Provision for that Purpose. The Treasurer's accounts for the year past I shall order to be prepared for your Inspection.

We cannot but view with inexpressible concern the alarming Pitch to which the unfortunate Dispute between Great Britain and her Colonies is daily advancing. A matter of such a momentous nature, which fills every human mind with the deepest anxiety & affliction, and wherein this Province is unhappily involved, cannot I presume fail of engaging your most serious attention: It is therefore my Duty at such a critical & important moment to call, in the most earnest & solemn manner, upon you, gentlemen, who are the only constitutional and legal Representatives of the People, to direct your Counsels to such measures as may tend to secure their Peace & safety. On the Wisdom, Candour & Moderation of your Deliberations it will greatly depend to avert the Calamities that must naturally attend a continuance of this unhappy Contest, and I trust your conduct will be guided by such Principles as shall effectually lead to a Restoration of the Public Tranquillity, and a perfect Reestablishment of an affectionate Reconciliation with our mother Country, upon a solid, equitable & permanent Foundation.

Gentlemen of the Council and of the Assembly —

Connected as we are with our Parent State by the Strongest Ties of Kindred, Religion, Duty & Interest, it is highly incumbent upon us in this Time of General Disquietude to manifest our Loyalty and attachment to the best of Sovereigns, and our firm and unshaken Regard for the British Empire; And I have full confidence that those great considerations will influence every part of your conduct. You may entirely rely on my most ardent zeal to co-operate with you in whatever constitutional measures may be found necessary to accomplish that most essential object to the Well Being of this Province,—a Restoration of our Harmony with Great Britain.

J^o WENTWORTH.

New Hampshire
Council Chamber
May the 5^th 1775.

Voted That Meshech Weare Esq^r be Clerk to this House.

[p. 221.] The Hon^bl Meshech Weare Esq^r the Clerk elect of this House, being absent, Voted that Ebenezer Thompson Esq^r be Clerk Pro Tempore to this House, who was sworn to the faithful performance of his trust by Wyseman Claggett Esq^r.

Rules of the House.

Voted That the following Rules be observed by this House:

First, That whosoever shall, by any misbehaviour in Speech or Action justly offend any of the members of this House, shall be admonished, fined or Imprisoned, as the House shall see meet.

Second, That no member speak twice to any matter in debate before the House, until every member have liberty to speak once to the same matter if he should see cause.

Third, That every member direct his Speech to the Speaker and not to one another; and when any member has a mind to Speak to any matter in debate he shall stand up & ask leave of the Speaker & not speak without his consent, and shall be silent at his command, but if the member speaking thinks such command unseasonable or unreasonable, the Speaker shall take a vote of the House thereon, to which such member shall submit, on pain of forfeiting such Sum as the House shall determine.

Fourth, That whenever it happens there are as many Votes on the one side of the Question as on the other without the Speaker, that then the Speaker make the casting vote.

Fifth, That if the Speaker be absent the House may choose a Speaker Pro Tempore that the Business of the House may be carried on without delay.

[P. 222.] Sixth, That if any member after being Qualified and entered shall absent himself at any time without leave from the House he shall be liable to be fined at the discretion of the House.

Seventh. That if any member of this House shall by the Major part of the House be tho't unfit and not Qualified for said Place, it shall be in the power of the House to dismiss such person, giving to the Town or Precinct notice to choose another Person to fill up such vacancy.

Eighth, That every Bill to be passed in this House be read three times & that there be Two adjournments of this House before any Bill be passed into an Act.

Ninth, That the Speaker and eighteen members be a House to do Business.

Tenth — That no vote that is passed in this House shall be reconsidered by a less number than was present when it passed.

Voted That Mr. Speaker Dr Giddinge Mr. Clagget Mr. Langdon & Col° Bartlet be a Committee to make a Draft for an answer to his Excellency's speech and lay the same before the House as soon as may be.

Sundry Petitions complaining of several Persons from sundry new Towns which had not heretofore sent members, being return'd to set as members in this House in an illegal or unconstitutional manner, being Bro't into the House and read,

Voted That Mr. Sheafe, Mr. Langdon, Dr. Giddinge, Josiah Moulton jun^{r} and Capt. Hodgdon be a Committee to take said Petitions under consideration and make report as soon as may be.

Voted That Mr. Speaker Mr. Giddinge & Mr. Langdon be a Committee to wait on his Excellency & desire a short adjournm^{t} of this House. Adjourned.

Saturday May 6th A. M.

The Speaker communicated to the House a Letter directed to him & signed by the Speaker of the House of Assembly of New York requesting the same to be laid before this House. together with a List of Grievances & Resolutions of that House in consequence thereof, and also a Petition to the King, a Memorial to the [p. 223.] House of Lords, and a Representation and Remonstrance to the Commons of Great Britain, all which were read and are on file. (1)

Voted That Mr. Sheafe be desired to wait on the Revd Dr. Haven & the gentleman who does or may officiate as minister in the Parish where the Rev. Dr. Langdon lately was settled (2) in this Town, and desired them to pray alternately with the Assembly when sitting.

[p. 225.] The Honble Theodore Atkinson Esqr came from the Board and delivered the following written message:

Mr. Speaker & Gentlemen of the Assembly —

The Speaker, Mr. Giddinge & Mr. Langdon three of your members came to me last evening as a Committee from the House desireing a short adjournment. I am always disposed to shew every indulgent regard in my Power to the wishes of the House, but when I consider what uneasiness prevails at present among your Constituents of which I dare say you are not insensible, and that they must look to your Councils for relief from their fears & Jealousies, I think it my duty to recommend to you to consider the matter, and if you should be of opinion that you will better consult the Interests of your Constituents by continuing to set, I doubt not but your own private concerns will readily give way to the publick welfare.

J'Wentworth.

New Hampshire Council Chamber
May 6th 1775.

Upon Reading and considering the foregoing Message, Voted that the following be presented to his Excellency as an answer thereto.

May it please your Excellency —

In answer to your Message of this day in consequence of a verbal message to your Excellency from the House last evening by the Speaker Mr. Giddinge & Mr. Langdon, requesting a short adjournment, We would observe That we think it is not only very necessary for our private Interest at this particular season of the year, but Especially for the Interest of the Province in General at this peculiarly alarming crisis that the House should be adjourned to some time early in June next, in order that we may in the mean time have an [p. 226.] opportunity of fully consulting our Constituents respecting the several weighty matters necessary to be considered by the House the present Session.

(1) The papers here referred to have not been found on file in New Hampshire Archives, but they are all contained in full in the *American Archives*, 4th Ser., Vol. I, pp. 1298-1323, in State Library, N. H., and in N. H. Hist. Soc. — Ed.

(2) On the 9th of October, 1774, Rev. Dr. Langdon was dismissed from his parish in Portsmouth to enter upon the Presidency of Harvard College, to which he had been elected. — Ed.

The Deputy Secretary came from the Board & said it was his Excellency's pleasure to adjourn the General Assembly to Monday the 12th day of June next, & accordingly in his Majesty's name adjourned the General Assembly to that time and delivered to the Speaker the following written Message from his Excellency.

Mr. Speaker & Gentlemen of the Assembly —

In consequence of your Representation to me in answer to my Message of this day's date, that it will be expedient for you as well for the accommodation of your own private affairs, as to give an opportunity of consulting your constituents on the matters necessary to be considered by you in the present session, that the House should be adjourned for a short time, I have thought fit to adjourn the General Assembly, and it is accordingly adjourned to Monday the 12th day of June next at ten o'clock in the morning, there to meet at the State House in Portsmouth for the dispatch of the Publick Business.

J'WENTWORTH.

New Hampshire Council Chamber
May the 6th, 1775.

Meeting of his Majesty's Council.

[Copied from MS. State Pap., Rev., Vol. I, p. 185.]

At a Council held at Portsmouth the 29th day of May 1775.

Present

His Excellency the Governor.

Jonathan Warner, Daniel Rindge } Esqrs
George Jaffrey, John Sherburne } Esqrs

Mr. Jacob Treadwell & Mr. Jacob Sheafe junr present a Memorial from themselves & others, merchants, Freeholders & other Inhabitants of this Town setting forth that two vessels laden with Provisions contracted for by some Merchants for the supply of the Inhabitants were detained by his Majesty's Ship Scarborough to be sent to Boston, &c. & Praying that his Excellency & their Honrs would interfere to liberate said vessels & Cargoes.

The memorialists being examined declare themselves very apprehensive of the most alarming consequences from this Measure and that in the present scarcity of provision in this & the neighboring Towns the immediate assembling of large Bodies of People is to be apprehended and fatal consequences dreaded.

The Council having fully considered and deliberated upon the Matter are of opinion that the Poor of this and the neighboring Towns are in the greatest want of Corn & other Provisions & it appearing that the Cargoes of said Vessels had been contracted for their relief and sustenance and also for the supply of the Inhabitants, the Council are convinced there is the greatest Reason on those accounts to apprehend the most violent outrages and Tumults of the People will immediately follow this detention of their Provisions, the consequences of which will be most probably very fatal to his Majesty's service by bringing into the most imminent danger the Lives and Properties of his servants which ought by all means to be prevented, if possible.

The Council therefore think it their duty to advise, your Excellency will be pleased to acquaint Capt. Barclay of these circumstances, not doubting but he will perceive that no general orders can be intended to authorize him to cut off the Provisions actually procured for the necessary sustenance of the Poor and Inhabitants of this town, or empower him to interrupt the peaceable subjects of his Majesty in this Province in pursuing their lawful Commerce.

Attest, Geo. King, Dy Secy.

[Copied from Am. Ar. 4 ser. Vol. II. p. 740.]

Portsmouth, N. H. May 30, 1775.

This day about thirty or forty men from on board the *Scarborough* man-of war, now in the harbour, came on shore at Fort William and Mary, and tore down great part of the breast work of said fort, and did other damage.

The day before this attempt, the Scarborough took two provision vessels, loaded with corn, pork, flour, rye, &c. coming in from Long Island, which were for the relief of this place, as the inhabitants are in great want of provisions; and notwithstanding the most prudent application of the principal gentlemen of this Town, the Captain refused to release them. O shocking situation!

Upon this refusal it was apprehended the most violent outrages and tumults of the people would immediately follow this detention of their provisions, the consequences of which would be, most probably, very fatal to his Majesty's subjects, by bringing into the most imminent danger the lives and properties of his said subjects, which ought by all means to be prevented, if possible.

Upon this unwarrantable transaction, the inhabitants of this and the neighbouring Towns were greatly alarmed, and, next morning, between five and six hundred men, in arms, went down to the battery called *Jerry's Point*, and brought off eight cannon, twenty-four and thirty-two pounders, being the whole that were there, weighing four thousand eight hundred pounds each, and brought them up to this Town. While they were taking off the cannon, the *Canceaux*, with a tender, set sail with the two provision vessels for Boston. The next day the Town was full of men from the country, in arms.

This uncommon exertion of arbitrary power immediately alarmed the inhabitants, and the Committee of Safety having met, a memorial was, by their approbation, presented to the Governor and Council, who took every prudent method in their power to pacify the people, and to obtain a release of the captures. His Excellency repaired on board the Scarborough, and informed the Captain that the provisions were the property of some of the inhabitants, who had before contracted for the same; but the only answer he could obtain was, "that Admiral Graves and the General had forwarded orders to take every provision vessel that should be met with, on every station, and send them forthwith to Boston for the supply of the army and Navy." Captain Barclay, the commander of the Scarborough, informed two of the Committee at Fort William and Mary that his orders were such that he must even take all vessels with salt or molasses, they being a species of provision, and send them to Boston.

Memorial above referred to.

[Copied from MS. State Pap. Rev., Vol. I, p 193.]

To his Excellency John Wentworth, Esq., Captain General, Governor and Comm^{r} in Chief in & over his Majesty's Province of New Hampshire and the Hon^{bl} his Majesty's Council: —

The Memorial of us the Subscribers, Merchants, Freeholders & other Inhabitants of theTown of Portsm^{o} *Humbly sheweth* —

That two vessels laden with corn, Pork, Flower & other Provisions contracted for by some Merchants of this Town for the Supply of the Inhabitants, of which they are in great want, are detained by the Scarborough at the mouth of our Harbour — and we are informed are to be sent to Boston the first wind — your Memorialists are very apprehensive of the most alarm-

ing consequences from a measure of this kind taking place at this Critical Juncture — and beg your Excellency & Honours would Interfere in such a manner as your wisdom shall direct for the liberating said vessels & Cargoes.

Portsmouth, May 29th 1775.

H. Wentworth	Wm. Knight
Thos Hart	Josh. Wentworth
Saml Cutts	Willm Pearny
A. R. Cutter	Wm. Whipple
J. Driscoll?	Jacob Sheaf, jun.
Jacob Treadwell	Alexr Morison
Rich. Hart	Geo. Wentworth
Pierce Long	R. Champney
Saml Sherburne	Saml Penhallow
George Hart	Geo. Gains
Supply Clap	John Penhallow
Henry Sherburne	Elisha Hill
	Neal McIntyer

Letter from H. Wentworth to Matthew Thornton.

[Copied from MS. State Pap. Rev., Vol. I, p. 203.]

Portsmo 31st May, 1775.

Sir —

We beg leave to inform you that this day eight Pieces of cannon were removed from Jerry's Point to this Town & that threats are thereon thrown out by the Capt. of the Man-of-War that in case he hear of any preparation of Rafts or any other Means being used to annoy him he shall come up with his ship to fire upon the Town. We would submit it to the Wisdom of the Congress whether these Guns should not immediately be placed in some convenient Battery to prevent this mischief & whether a Committee should not be forthwith employed for this purpose. The Guns are 6 Twenty-four and two thirty-two Pounders, and its absolutely necessary that we be provided with ammunition & carriages to save them, of which we are entirely destitute.

I am, by order of the Committee,
Yr most hble servant,
H. Wentworth.

To Matthew Thornton, Esq.
President of the Congress at Exeter.

Monday, June 12th 1775.

Met according to adjournment & there being but a thin House adjourned till to-morrow nine o'clock.

Tuesday June 13th.

The Depy Secy came into the House and informed the House that Colo Weare had taken the Oaths and was qualified as a member of this House.

[p. 227.] Meshech Weare Esq^{r} having been chosen Clerk to this House and now being present the Oath for the faithful Discharge of that office was administered to him by the Speaker.

The Com^{tee} appointed to consider the matter Respecting the admission of members called in from the New Towns by Virtue of the King's Writ, made Report as on file, which being Read and considered, and after Debate thereon, the Question was put whether the members Returned for Plymouth, Orford & Lyme should be admitted to a seat in this House. It Pass'd clearly in the Negative.

Report of abovesaid Committee.

[Copied from MS. State Papers in Sec^{ys} office "Revolution," 1775, Vol. I. p. 239.]

Province of N. Hamp^{r}

Pursuant to a vote of the House of Assembly of the 5th of May last appointing us the Subscribers a Committee to take into consideration certain Petitions presented to this House by the Freeholders of sundry Towns respecting the admitting of members to a seat here that are sent to this present Assembly by virtue of the King's Writ only without the concurrence of the other Branches of the Legislature, from Towns that have not heretofore had that Privilege and to Report thereon: We have accordingly taken the matter into our most serious consideration and beg leave to Report that we find that from the time of the first House of Assembly being called in this Province to the year 1744 no new Towns were allowed to send Members to the General Assembly except by a vote of the House; that in the year 1744 the Governor did send Writs to five new Towns or Districts, viz. Rumford, Methuen, & Dracut, South Hampton, Chester and Haverhill, and that when the House met they did not admit the said five members to a seat there, looking upon such a Procedure as an encroachment on their Privilege; That in the year 1748 another attempt was made by the Governour of the like kind which met with the like fate in the House; That since that time we find there have been some instances of other Houses suffering members so sent to take their seats without taking any notice of the impropriety thereof, for what reasons we cannot learn. But as it is a settled Rule (as we apprehend) that every House of Assembly has a Right to regulate itself, and their indispensable duty to prevent any encroachments being made on their Privileges, and as the Governor sending Writs without the concurrence of the other Branches of the Legislature to Towns that had not been before allowed to send members appears to us a manifest breach thereof and directly contrary to the Spirit and design of the English Constitution and apparently pregnant with alarming consequences — We therefore submit it to the House whether they can with any degree of propriety in any view of the matter whatsoever allow such an encroachment to be made on the Privileges so opposite to the English Constitution as the admiting the said members now complained of by the said Petitioners; viz. the members for Plymouth, Lime & Orford to a seat in this House, and especially as there are a great number of other Towns in this Province of much greater importance that have not that Privilege and (in our opinion) cannot in a Constitutional way untill an Act of Government is made for that Purpose: All which is submitted. June y^{e} 13th 1775.

Jacob Sheafe
W^{by} Langdon
Jos. Moulton, jun.
Caleb Hodgdon.

P. M.

The Com^tee appointed to Prepare an Answer to the Governor's Speech laid before the House the following Draft of an Answer, viz.

May it Please your Excellency —

Our gratefull acknowledgments are Due to you for your kind Assurance given this House in your Excellency's Speech that you will afford all the facility in your Power to every measure that may be conducive to the Publick good, and that you will make the Happiness and Prosperity of this Government the object of your warmest wishes and constant Pursuit: Your Excellency may be assur'd that we in our Department will consult and steadily pursue such measures as we may Judge will be most likely to Promote [P. 228.] the Prosperity of this Province. We desire the Treasurer's acc^ts may be laid before us as soon as may be which we will immediately Proceed to inspect. It is with the most anxious concern we view the unhappy controversy between Great Britain and her Colonies Rapidly advancing to the most serious issue, — a matter of such momentous Interesting nature cannot fail of Engageing our most serious attention, while it fills us with the Deepest Solicitude and Distress. We most ardently wish it in our power to Effect by any measures we could take the Restoration of Publick tranquillity and the Reestablishment of the much desired Reconciliation with our Mother Country upon a just, solid & Permanent Basis; that the blessings of the Brittish Constitution might thereby be Diffused and Engaged thro' every part of this wide and Extended Empire. But we are apprehensive the settlement of the present Distressing Difficulties is an object of such magnitude and a matter of such general concernment to all the Colonies as far exceeds our circumscribed power and Influence. As a variety of methods have been proposed and measures pursued in order to effect this Desirable end, all of which have hitherto proved ineffectual, we are entirely at a loss to know what measures we can take that may afford a prospect of success. Was it in our Power to settle this most unnatural, unfortunate contest in a way consistent with the true Interest & Rights of the whole nation, our calamities would be but of short Duration; and we trust had it been Equally in the Power of the Colonies as it ever was their wish, matters would never have Proceeded to such Extremity.

Intimately connected as we are with the Parent State by the strongest ties of Kindred Religion Laws and Interest it ever must be our most sincere Desire and Zealous Endeavour to adopt & constantly Pursue such measures as may have the most likely tendency to strengthen and perpetuate such connection and to promote the General Interest & happiness of the whole Empire.

[P. 229.] With hearts deeply impress'd with the most affectionate attachment to and concern for the Interest & prosperity of Great Britain as inseparably connected with our own, we trust that our conduct will invariably manifest the Rectitude of our Intention and our sincere aim to Restore and Establish Peace & harmony between Great Britain and her Colonies and to advance the Prosperity of both Countries.

Voted That the foregoing be presented to his Excellency the Governor in answer to his Speech at the opening the present General Assembly.

Sent to his Excellency by Capt. Langdon, Col^o Baker & Col^o Holland.

The Dep^y Sec^y Bro't Down the following Message from his Excellency, viz.

Mr. Speaker and Gentlemen of the Assm —

When a general Spirit of Jealousy alarm and apprehension have either banished the sober Reason or blinded the cool Judgment of men, when the love of order and Respect to the Laws, Reverence and attachment to the ancient and happy Constitution of this Province seem wholly to have Deserted their seat, and Disorder and confusion introduced in their stead, and when the People as it were seem to have lost sight of any Possible alternative but Slavery or Civil War, and abandon the hope that there is yet remaining a Possibility of Reconciliation with the mother Country, I think it incumbent on me in this most alarming and dangerous situation to recommend to your [P. 230.] most serious consideration the Resolution of the House of Commons of the 27th of February last which hath been approved by his Majesty.

There appears in this solemn Resolution so great an affection, tenderness for your liberties and Readiness to be Reconciled upon Principles, consistent with the just Rights and Dignity of the Parent State and the Priviledges of the Colonies as precludes the necessity of particular observations upon it, and I cannot but trust that it will meet with the just and gratefull Return from you that may be naturally Expected from the wisdom which the hour of serious reflection will call forth, and from the feelings which calm consideration will produce, and be finally Productive of those happy Effects for which it lays so fair a foundation.

But as this is a subject of a most weighty nature to the good People of this Province, the security of whose lives and properties may Rest upon the moment of your Decision as their Representatives I cannot give a greater Instance of my Duty to his Majesty and of zeal for the true Interest of this Province than by affording you time for candid consideration and an opportunity to take the real, and on this very serious occasion, I hope the dispassionate sentiments of your constituents, from whence my most fervent prayers to heaven are that a Disposition for Reconciliation may spring up, whose blossoms being mutual affection and a Desire for Peace & harmony we may speedily Reap the blessed fruit of happy prosperity to this Province and perpetual glory to the British Empire.

I do therefore adjourn the General Assembly and it is hereby adjourned Accordingly to Tuesday the Eleventh day of July next then to meet at the State house in Portsmouth in order to proceed to the consideration of this and the other public affairs of the Province.

In the meantime I most earnestly Recommend it to you by all means in your power to Discourage and Discountenance all acts and measures tending to increase our Difficulties by widening the Breach between us and our [P. 231.] mother Country which unhappily but too much prevail throughout the Province, and to use your best Endeavors to cultivate a Quiet and peaceable Disposition among your Constituents.

J'WENTWORTH.

New Hampshire
Council Chamber,
13th June 1775.

The Depy Secy brot Down with the foregoing Message the Resolution of the House of Commons of the 27th of February last, which is as follows:

Lunæ 20th die Febri (1) 1775.

The House in a Committee on the American Papers:— Motion made and Question Proposed — That it is the opinion of this Committee that when the Governor Council and Assembly or General Court of any of his Majesty's Provinces or Colonies in America shall propose to make provision according

(1) Monday, 20th day of February. — ED.

to the Condition, Circumstances and situation of such Province or Colony for contributing their Proportion to the Common Defence (such Proportion to be raised under the Authority of the General Court or General Assembly of such Province or Colony and Disposeable by Parliament) and shall Engage to make Provision also for the support of the Civil Government and the administration of Justice in such Province or Colony, it will be Proper, if such proposall shall be approved by his Majesty and the two Houses of Parliament, and for so long as such Provision shall be made accordingly to forbear in Respect to such Province or Colony to levy any Duty tax or assessment or to impose any further Duty tax or assessment Except only such Duties as it may be expedient to continue to levy or impose for the Regulation of Commerce, the Net Produce of the Duties last mentioned to be carried to the Account of such Province or Colony respectively.

Letter from Gov. Wentworth to General Gage.

[Extract.] Fort William and Mary, June 15, 1775.

"The ferment in this Province has become very general, and the government has been very much agitated and disturbed since the affair of the 19th of April last. Two thousand men are already enlisted, two-thirds of whom I am informed are destined to join the insurgents in your province, and the remainder are to be stationed along the coast in different parts between Portsmouth and Newbury.

The spirit of outrage runs so high that on Tuesday last my house was beset by great bodies of armed men who proceeded to such length of violence as to bring a cannon directly before my house, and point it at my door, threatening fire and destruction, unless Mr. Fenton (a member of the Assembly then sitting) who happened to call upon me, and against whom they had taken up such resentment as occasioned him some days to retire on board a man-of-war in the Harbour out of their way, should instantly deliver himself up to them; and notwithstanding every effort to procure effectual resistance to disperse the multitude, Mr. Fenton was obliged to surrender himself, and they have carried him to Exeter about fifteen miles from Portsmouth where he is, as I am informed, kept in confinement.

Seeing every idea of the respect due to his Majesty's Commission so far lost in the frantic rage and fury of the people as to find them to proceed to such daring violence against the Person of his Representative, I found myself under the necessity of immediately withdrawing to Fort William and Mary, both to prevent as much as may be a Repetition of the like insults and to provide for my own security.

I think it exceedingly for the King's service to remain as long as possible at the Fort, where I now am with my Family in a small incommodious house without any other prospect of safety, if the prevailing madness of the people should follow me hither, than the hope of retreating on board his Majesty's ship Scarborough, if it should be in my power. This fort, although containing upwards of sixty pieces Cannon, is without men or ammunition." [*See Brewster's Rambles, Portsmo., Vol. II., p.* 252]

[In another letter dated, at

Fort William and Mary, June 29, 1775.

The Governor says: "Admiral Graves has sent a transport under convoy of the Falcon sloop of war, and entirely dismantled this ungarrisoned Castle of all the ordinance, stores, &c.

"Besides the inconvenience of being crowded into this miserable house, confined for room and neither wind or water tight, I am inevitably obliged to incur some extra expence for my safety and existence even here. Being of necessity compelled to make some small repairs to render it habitable, and to

employ six men as watches to prevent my being surprised and made prisoner. These, with my three servants and Mr. Benning Wentworth, and Captain Cochran are divided into three guards of four hours each; by which means I have some security of getting on board the Scarborough. The six men are at the expence of Twelve dollars per month each, including their dieting, allowance of Rum, &c.; under which expence no trusty man can possibly be had for so unpopular a service in this time of general opposition to Government. The repairs will not exceed fifty guineas." *See Brewster's Ramb. Portsmo. Vol. II, p.* 253.]

Letters from Gov. Wentworth to Hon. Theo. Atkinson..

[Copied from "Belk. Pap." N. H. Hist. Soc. Lib. p. 302.]

Castle William and Mary, 17th June, 1775.

DEAR SIR—

Captain Barkley has this morning seiz'd the Sloop King Fisher, Jon[a] Eaton master, laden with thirteen hogsheads & three tierces of Molasses, bound from Newbury to Piscataqua for breach of Acts of Trade. This sloop run into Little Harbor and unladed Eight cask into a Gondula without entering or reporting at the Custom house. Capt. Barkley sends information to the Custom house & directions to have Vessel & Cargo forthwith libell'd in the Court of Vice Admiralty, This is not therefore any stopage upon his general orders relative to provision vessels &c. but wou'd have taken place any time heretofore. I therefore hope it will be consider'd & occasion no disturbance in town.

We shall rejoice exceedingly to see you in this our pleasant retirement where we breathe a good air & some safety from unreasonable attacks.

Mrs. W. & our Son are pretty well & we unite in best Respects to you.

I am with great regard
My dear sir, your very faithful
J' WENTWORTH.

Castle Wm. & Mary, July 3[d] 1775.

DEAR SIR—

I have occasion to inspect the books of Charters in the Secretary's Office & to make some minutes out of them, I desire you'l deliver them to the bearer for that purpose, and I will be responsible for their safety & return into the secretary's office. Mrs. Wentworth joins with me in due regard to you; we also present the same in behalf of our boy Charles Mary who promises to make a good fisherman & perhaps a good Gunner. I am,

Dear sir, yours, &c.
J' WENTWORTH.

Hon[ble] Theodore Atkinson, Esq.

Letter from Hon. Theodore Atkinson to Governor Wentworth.

[Copied from Belk. Pap. p. 308.]

Portsm[o], N. Hamp[r] July 7th, 1775.

SIR—

Your Excellency will give me leave to acquaint you that on the 4th Inst. I had a visit as Secretary from the Com[tee] appointed by the Provincial Congress *of this Colony*, held at Exeter, when they shew me their appointm[t] & requested the Delivery of all the records and files in the Sec[ys] office. I told them it would be ag[st] my Hon[r] & my Oath of office to be a voluntier in such delivery. After an Hour's moderate conversation & without any heat the

Com^tee left me, & I was in hopes I should not have had any further visit from them; but on the 6^th Inst. They came again & urged the Delivery; I stil refused as before & told them they well knew it was not in my power to defend the office by force of arms; if they took the records or any of them they must be answerable. They then entred the office and took all the Files & records belonging to the Sec^ys office Except those books in which was recorded the several Charter Grants of Land which were with your Excellency to take some minutes from; The Com^tee offered me their rec^t agreeable to their orders from the Congress, but I refused being otherwise concerned than barely as a spectator — they then cleared the office of all the Books & Papers & Transported them to Exeter, & where they are (as I am informed) to remain til further order. Thus I have stated the facts as they occurred, & I am

May it Please your Excellency,
your Excellency's most obedient
Humble Serv^t.

A. (1)——.

Gov^r Wentworth.

[P. 233] Tuesday, July 11^th 1775.

Some of the members being met, the Dep^y Sec^y by his Excellency's Direction adjourned the Gen^l Assm.— till to-morrow 10 o'clock. [And so from time to time, till]

Fryday July 14^th 1775.

Col^o Baker and Col^o Bartlett were desired to wait on the Treasurer and acquaint him that the House were Ready to prqceed to Examine his Acc^ts and desire that he would lay them before the House as soon as may be.

They returned and informed the Speaker that they had Deliver'd the message and the Treasurer informed them that he had orders from the Governor not to lay his Acc^ts before the House till they had Determined on a message the Governor had to lay before the House Relative to Dismissing some members.

The Dep^y Sec^y bro't Down a written message from his Excellency, as follows, viz.

Mr. Speaker and Gentlemen of the Assembly —

[P. 234.] I find by your votes of the 13^th of last month that you have taken upon you to Exclude three Return'd members, called by the King's Writ from siting and Voting in the House of Assembly, thereby Depriving the Electors of their Privilege, and a whole County of any Representation in the Legislature. You must be sensible that I cannot consistant with my Duty pass by a measure so Essentially infringing on his Majesty's Prerogative and the Rights of the People; And I Do therefore Recommend to you to Rescind the vote for Excluding the said three members from the House, that they may be intirely free to take their seats without interruption according to the constant usage heretofore Practiced.

J'WENTWORTH

Fort William and Mary
New Hampshire
14^th July, 1775.

(1) See further correspondence on this subject in the *Journal of Prov. Congress*, July 6, 1775.—ED.

Voted that Capt. Langdon Col° Bartlett, Doc^r Thompson and Meschech Weare Esq^r be a Com^tee to prepare an answer to his Exc^ys message of this day.

P. M.

The Com^tee appointed to prepare an Answer to his Exc^ys message of this day, Reported that they had prepared one which was Read, and is as follows, viz.

May it please your Excellency —

In answer to your Excellency's Message of this day wherein you desire that this House would Rescind their vote of the 13^th of last month Respecting their Dismission of the three members for the County of Grafton who were called by the King's Writ only without an Act of Government for that Purpose: We are sorry to find that your Excellency should intimate that our Dismissing said members was Depriving the Electors of their Priviledge, as [p. 235.] we did not apprehend that any one person in the English Empire could have had such an Idea, and trust that the good people of the County of Grafton will not think that we have deprived them of any part of their Rights or Priviledges by our Dismissing the said members, as it is very Notorious that this and former Houses of Assembly have long wished that this Province might be more Generally Represented in a Constitutional way, and have long endeavored that an Act of Government might be passed Enabling the Governor to issue Writs to such Towns to send Members as might be provided for in said Act (as is the case in the other Governments on this Continent) but have not been able to have such an Act Established, for what Reasons your Excellency may know better than we do; As the Councill are appointed for this Province by the Crown we think it not only a cruel but an arbitrary stretch of Prerogative for your Excellency to issue writs to such Towns as you think proper to send Representatives without the concurrence of the other Branches of the Legislature therein, for by that means the Representatives as well as the Councill would in effect be chosen by the Crown. We cannot think that such an attempt was ever made in any other Government within the English Dominions.

Upon the whole this House have Determined Unanimously (as they look upon it their undoubted Right and Priviledge to Regulate themselves) not to Rescind their said vote.

We would also inform your Excellency that we have been expecting that you would order the Treasurer's accompts to be laid before the House agreeable to your promise that we might be thereby enabled to proceed in the ordinary business of the Government; but are sorry to find that your Excellency has ordered the Treasurer not to lay them before the House, as he informs us. We hope you will Direct that we may be furnished therewith as soon as Possible as you must be sensible that it is not only very Expensive but very Disagreeable to us to be from our respective Places of abode at this season of the year.

Which Report of the Com^tee being considered

[p. 236.] Voted That it be presented to his Excellency in answer to his message to the House of this Day. Sent up by Capt. Langdon & Capt. Giddinge.

Monday July 7^th 1775.

The Dep^y Sec^y by his Exc^ys Direction adjourned the Gen^l Ass^m till to morrow 10 o'clock.

Tuesday July 18th 1775.

Some of the members being met the Depy Secy Bro't Down the following Message from his Excellency, viz.

Mr. Speaker and Gentlemen of the House of Assembly —

In Reply to your answer to my Message of yesterday concerning your vote for Excluding the three members Returned for three Towns in the County of Grafton by vertue of the King's Writ, I would observe, That in the Early State of New Hampshire when the Massachusetts Bay Exercised Jurisdiction over the Inhabitants, a Commission was issued by King Charles the Second appointing a President and Councill to govern the Province according to the methods and Regulations specified in the said Commission: This laid the foundation of the Constitution by which the Province hath since been governed, and the People by their acceptance and acquiescence in the frame of Government then given them bound themselves to maintain the same.

Among other things the President and Councill were authorized to issue Writs for calling a General Assembly: It hath ever since been the Invariable practice as circumstances made it Reasonable to Extend Representation in the Province, to call the members by the King's Writ. It is a part of the Constitution first Established by the aforesaid Commission, and ever since preserved unaltered, and you all come by your seats in the House in the same constitutional way, and the Laws of the Province rest upon this foundation[P. 237.] It is true that some contention was heretofore made by a former House on this point, but after a long and fruitless controversy the House thought it adviseable at length to proceed to business with the New members in the Established course.

Since my Administration three New members have been called from three Towns in the County of Cheshire, and they took their seats without interruption. Upon Petitions to the Governor in Councill from the Inhabitants of the County of Grafton it seem'd Equally Reasonable to Extend to them the same Priviledge, Expressly given by President Cutts Commission, and secured by constant usage since, which was done in the usual form with the advice of Councill. It does not now appear either by a general view of this practice or any particular instance that it hath not been Exercised for the advantage of the People, and as there is no reason at present to apprehend Danger from the influence of the Crown, the argument you make use of to support or Justify your Refusal of the new members has in itself in reality but very little weight; more especially as provision is Established by Law for Regulating the Election of Assembly men and their Qualifications.

In short a Constitution has been given to this Province which the People have accepted, and lived happily and prospered under, and I apprehend their Interest will be much better consulted by adhering to that Constitution, than by any Innovations or attempts to alter or subvert it, Especially in a Point of Inherent Right and Prerogative of his Majesty which cannot be suffer'd to be violated or infringed.

The Treasurer's accompts are prepared, and I should have order'd them to be laid before the House, but my Duty calls upon me to take care that no members Constitutionally Return'd to the Assembly should be Excluded from their Priviledge of acting freely in all matters of business that may come before the General Assembly: No inconvenience can as yet be occasioned by these accompts, as a sufficient number of members to make a House did not attend till yesterday, and then (as I understand) but a very thin House, I am sorry to observe that it appears to me from the Determination not to Rescind the vote for Excluding the three members for Plymouth, Lyme & Orford, that the House did not meet with a Disposition to proceed upon the affairs of the Province. In hopes however that this business may Receive a more favourable consideration in a fuller House of Assembly on a future Day, I

think it my Duty to adjourn the General Assembly and it is hereby adjourned accordingly to Tuesday the 28th of Sepr next at ten o'clock in the morning then to meet at the State House in Portsmouth.

Fort William & Mary
New Hampr 15th July, 1775.

J'WENTWORTH.

NOTE.

The foregoing was the last MESSAGE of Governor Wentworth. The General Assembly under the Provincial Government never met after this period. It appears however that a Correspondence was kept up between his Excellency and Secretary Atkinson, and that in September following a Proclamation was issued, proroguing the General Assembly from the 28th of September, 1775, till the 24th of April, 1776.—ED.

CORRESPONDENCE.

Letter from Secretary Atkinson to Gov. Wentworth.

Portsm°, July 17, 1775.

Sir —

On Saturday last at half after one o'clock the House adjourned till Three in the afternoon. The Council did the same — near five the House again adjourn'd till 3 this afternoon, when I understand by some of the members they propose to make a Quorum to receive your Excellency's further Directions, which was bro't me by Mr. Mc'Donough after the adjournm^t & the members dispersed & of course your Excellency's message not delivered, I Propose late this afternoon to deliver it if the Speaker should be in Town or they should make a House. If that proced^r should not meet your Excellency's approbation you'd Please to Let me have your further Directions.

I am, may it Please your Excellency,
your Excellency's most obedient
Humble Serv^t

Theodore Atkinson.

Govern^r Wentworth.

Letter from Gov. Wentworth to Sec'ry Atkinson.

[Copied from Belk. Pap. pp. 310–11.]

Fort William and Mary July 21^st, 1775.

Sir —

Captain Barkley (at noon) gave me the inclos'd paper, which I hope may effect a continuance of the boat-fishery. You are sensible that I have not any powers to alter or direct in this matter, the execution of the Restraining Act being committed to the Navy Custom House.

I am with due Regard & Respect
Sir, your most obedient Servant,

J'Wentworth.

The Honorable
Theodore Atkinson, Esq.

Captain Barkley will suffer the open boats of the Town of Portsmouth & the Country to go a Fishing for fresh Fish, only first having a permit from him for that purpose, provided the town of Portsmouth will let his Majesty's ship under his Command be supplied with Fresh Beef as usual, at the common market price & our boats to pass & repass without molestation.

Scarborough July 21^st 1775.

Letter relating to the Supply of the Scarborough with Provisions.

[Copied from Amer. Ar., 4th Ser., Vol. III, p. 59.

Watertown, August 7, 1775.

Since I came out of *Boston*, where I left all my effects to the mercy of a lawless banditti, to amuse myself have made several excursions into different parts of the country, and with pleasure have observed the firm, steady and resolute spirit which animates every individual. My last tour was to *Portsmouth*, where, to my astonishment, and I dare say to the astonishment of all *America*, I was informed that the Committee for that Town had voted to supply the Scarborough man-of-war, lying in their river, with from four to six hundred weight of fresh beef weekly. This account, I must confess, appeared to be scarce credible; but on making farther inquiry found it too true; and the reason assigned for this conduct was owing to the threats of a paltry sloop-of-war to deprive the inhabitants of fresh fish unless they afforded them such a quantity of beef. Too great a soul I hoped animated the breast of every *American* to submit to so insolent a demand; and instead of treating it with the contempt such insolence deserved, to the surprise of many of the worthy inhabitants the Committee passed a vote to supply with provisions those butchers of our countrymen, who are daily pilfering and destroying our property, and exercising every act of cruelty to distress and destroy us, by this unexampled instance submitting to their imperious demands, and, like suppliants, entreating their favour. Such conduct, at so important a crisis, cannot but wring tears from every well-wisher to *America*. This fact is of so important a nature that it ought in justice to be made publick; and I hope it will so affect the minds of the worthy inhabitants of that Town as to exclude from all further service the timid members of a Committee who act in direct opposition to both Continental and Provincial Congresses.

A. Traveller.

Letter from Sec'y Atkinson to Gov. Wentworth.

[Copied from Belk. Pap., p. 312.]

Portsm°, N. H., August 11th, 1775.

Sr —

Immediately after I received your Excellency's Letter of yesterday's date (which was about 10 o'clock this morn) relative to the Inhabitants of this Town firing on Capt. Barkley's Boat (1) I sumoned the Council to meet at 12, but did not make a Quorum till this afternoon, when the Council was Truely Informed that a Town Meeting was Immediately Notifyed & a very full meeting of the Inhabitants appeared, & regularly & Deliberately Pass'd a vote with a large & uncommon majority in which they disapproved the Transaction &c.

Your Excellency herewith hath the vote of the meeting attested, and alsoe the minute of Council.

Your Excellency will Please to bare in mind the Phrase of *Currat Lex* has

(1) The letter of Gov. Wentworth referred to has not been found. Adams in *Annals of Portsmouth*, p. 254, says: "Captain Barkley continued the practice of seizing all vessels entering the harbour, and sending them to Boston. He likewise stopped all boats from going out of the river to fish, under pretence that his orders to execute the act restraining trade required it. In retaliation his boats were not permitted to come up to town for provisions, and one of them was fired upon by the guard, placed near the shore; the boat returned the fire, and several shots were exchanged, without damage on either side. The town passed a vote disapproving the action, and sent a copy of it to Captain Barclay.—Ed.

been some time past interrupted; the King's Attorney gave it as his opinion that y^e^ present situation was too uncertain & unsteady to enter any actions in the common course of the Law, & which advise was then approved — And I see no reason why the same cause should not produce the same effect now as then.

[Indorsed] "Copy ab^t^ the Inhab^ts^ firing at the Scarborough boat, August 11, 1775."

Further Proceedings and Correspondence in relation to the Scarborough.

[Copied from Amer. Ar., 4th Ser., Vol. III, p. 91.]

Committee-Hall, Portsmouth, August 13, 1775.

The Committee of Safety, finding it inconsistent with the peace and good order of the Town that any further communication should be kept up between the Ship Scarborough and the Town, Therefore,

Voted, That henceforward no Boats pass or repass from said ship or the Town of New Castle, without a permit from this Committee, or the selectmen or Committee of New Castle.

By order of the Committee:

H. WENTWORTH, Chairman.

We are credibly informed that in consequence of the above vote Captain Barclay, of the Scarborough, has stopped all our shipping outward and inward bound.

Letter from Gov. Wentworth to Sec. Atkinson.

[Copied from Belk. Pap. pp. 313, 314.]

Fort William & Mary,
17th August 1775.

SIR —

I desire that you will summon the Council to meet here this afternoon at 4 o'clock, if possible, if not at nine o'clock to morrow morning without fail, having occasion to lay some matters concerning his Majesty's service before them for their consideration and advice. Please to send me an answer as soon as may be.

I am, Sir, your most obedient
Humble Servant
J^n^ WENTWORTH.

The Honorable
Theodore Atkinson, Esq.

Answer to the foregoing.

Portsm^o^, August 17, 1775 half after 4 o'clock, P. M.

S^r^ — I this Inst. rec^d^ your Excellency's Comand, of this Day, but too late to Sumon the Council to attend y^r^ Exc^y^ at Fort Wm. and Mary but shall endeavor to do it so as to attend on y^r^ Excel^y^ on the morrow as you order.

I am your Excellency's most obedient
Humble Serv^t^.

A. ———

Governor Wentworth to Sec. Atkinson.

Fort William & Mary, August 23, 1775.

SIR —

I find it necessary to go to sea for a few days, and must desire that in the mean time you will use your best endeavors to preserve peace and quietness as much as possible. I am, Sir, your most obedient humble servant.

J'WENTWORTH.

Hon^ble^ Theodore Atkinson, Esq.

Secretary Atkinson to Governor Wentworth.

Portsmouth, August 29, 1775.

SIR — I received your Excellency's favour of the 23^d^, and shall use every method to preserve the peace of town and land. I hope it will not be long ere your return.

I have been importuned to write a few lines to the Commander of his Majesty's guard ship at Nantasket, in favor of Mr. Hale appearing for the freighter of the ship Elizabeth. A copy you have enclosed.

Your Excellency's most obliged and most obedient humble servant,

THEODORE ATKINSON.

Portsmouth, August 29, 1775.

SIR — Some time since the Ship Elizabeth arrived in the harbour from Grenada, and was stopped by Capt. Barclay, Commander of his Majesty's Ship the Scarborough, for having, as he said, ordnance stores on board, and was from hence by him carried to Boston. The freight to a considerable amount, she had on board, belonged to different merchants in this Town. The want of having certain necessary papers completed, prevented the owners of the freight, or their agent, from taking passage in one of those ships to Boston. They have thought it absolutely necessary to take this only method of sending Mr. Hale the bearer of this, to Boston, to personate the owner's interest. I therefore think it reasonable that he be permitted to pass to Boston, and desire the boat and hands be suffered to return.

With much respect I am your obedient humble servant,

THEODORE ATKINSON, President.

To the Commander of his Majesty's Ship
the Boyn, in Nantasket Road, Boston.

Seizure of the Schooner Ann, owned by Capt. Titus Salter.

[MS. "Prov. and Rev^y^ Pap." in Secry^s^ office, p. 165.]

PROTEST.

By this public Instrument of Protest be it known & made manifest unto all whom it doth or may concern, That on this Seventh Day of August 1775, before me John Wendell of Portsmouth in the Province of New Hampshire Esq. Notary & Tabellion publick by Lawfull authority admitted, sworn & registered by the Clerk of his Majesty for Faculties in Chancery London, personally appeared Robert Sanders, jun. Skipper, and Jacob Tibbets, Isaac Remmick & Ab^m^ Mathews, mariners & Fishermen late belonging to the Schooner Ann of w^ch^ Titus Salter of Portsm^o^ aforesaid Merchant was sole owner, who

being all sworn upon the Holy Evangelists of Almighty God, do solemnly declare, that they arrived in s[d] Schooner from a short voiage at Rye in the Province aforesaid about four miles from this Harbour on the 21[st] day of June last past, having on board ab[t] Thirty Quintals of Fish, that these Deponents all belonged to the said town of Rye and having taken out said Fish, they then put on board some dry Fish to the amount of fifteen Quintals to bring round in the Schooner to the owner to deliver up with said Schooner as they had laid aside all thoughts of going out on a Fishing voiage again; That they lay wind bound & being a barr'd Harbour they could not get out till the 5[th] of July, at which time they sailed and were then seized off y[e] Harbour by a Boat belonging to his Majesty's ship Scarborough, Andrew Barclay Esq. commander, for a Breach of the Act of Parliament for the restraining the Fishery of the New England Colonies, and having taken the Schooner into Possession, they carried her into the Harbour & moor'd her near the Scarborough & dismissed these Deponents, and these Deponents further declare that the said Schooner was not out of Rye River from June 21 to July 4[th] and that they have not been cited to appear at any of his Majesty's Courts of Admiralty to reply unto any Libel that may have been taken out to justify said seizure, and further these Deponents say not. Wherefore, I, the said Notary did & do in behalf and at the request of these Deponents solemnly protest against the Winds & Seas as the sole & only cause that prevented the said Schooner from being delivered up before the time aforesaid, for all costs, Losses, Damages & Expences by these Deponents sustained or which may hereafter be sustained by them or the owners & Insurers, or any Person interested in the said Schooner & Fish by means or account of the said Detention.

Thus done & protested at Portsmouth aforesaid, the day & date aforesaid in the Presence of Thomas Bickford & Robert Sanders Sen[r] witnesses hereto requested.

In Testimonium cujus presens Instrumentum manu ac sigillo officii Signavi rogatus.

JOHN WENDELL, Not. Pub.

Robert Sanders, Jun[r]
Jacob Tibbets
Isaac Remick
Abr[a] his X mark Mathews

Colony of New Hamp[r]

Portsm[o] 8[th] Feb[y], 1776.

At the request of Capt. Titus Salter owner of Schooner Ann before mentioned, We the subscribers according to the best of our Judgment Do Estimate said vessel with her appurtenances, Fish &c. on board to be worth one hundred & five pounds Ster[g] at the time of her being Seiz'd by his Majesty's boat belonging to the Scarborough.

N. FURBUR
GEO. J[o] OSBORNE
WM. KNIGHT.

Seizure of the Brigantine Sally, by British tenders.

[Copied from MS. "Prov. & Rev[y] Pap." in Sec[ys] office, p. 169.]

PROTEST.

By this Public Instrument of Protest be it known and made manifest unto all whom it doth or may concern, That on this sixth day of December 1775, Before me, John Wendell of Portsmouth, in the Colony of New Hampshire, Esq. Notary & Tabellion public admitted sworn & registered personally

appeared, Samuel Stacy master, Thomas Mead, mate, William Dixon mariner, all late belonging to the Brigantine Sally, of which Samuel Cutts of Portsmouth Esq. was sole owner, who being all sworn upon the Holy Evangelists of Almighty God, Solemly depose & declare that they sailed in and with the said Brig^e from the Island of Tortola in the West Indies to Portsmouth, on the 24^th day of June last, having on board Rum, Sugar and Cotton on Cargo, at which time the said Brig. was tight, staunch and strong, and in every Respect fitted for said voiage, That they sailed in Safety until Tuesday the 11^th of July, When the wind being fresh at South West and hazy weather at 3 o'clock, p. m. they saw a schooner bearing East South East, laying by; as soon as they perceived we discovered them, they made all the sail they could after us & came up with us very fast; we tack'd ship & stood to the southward, & they made after us, & then we discovered a large topsail schooner standing right across us, we being then in Comp^a with a Brig^e commanded by John Kendricks called the *Undutied Tea*, the Deponents then tack'd ship again and stood to the Northward, and Capt. Stacy being sick, the Deponent Mead spoke with Capt. Kendricks, who told him that he took these schooners to be Cutters cruising after inward bound vessels, and that he intended to stand close in to the land, & if they followed him, he would run the vessel ashore, sooner than be taken by them; we soon perceived they were two Tenders belonging to the English Navy, and Deponents then made all possible sail for the land; ab^t 5 o'clock p. m. they made the Vineyard, the Tenders still chasing them, about 7 o'clock p. m. the water being shoal the Tenders were afraid to venture, & stood off again, Capt. Kendrick's being so close that he came to an anchor, but these Deponents taking a Pilot from him, they beat off all night with the wind still at South West, & finding the Tenders waiting for their getting off into the sound, they, ab^t 5 o'clock a. m. bore away to go thro' Marthas Vineyard and Miseket, so called, by which they expected to clear the Enemy; ab^t 8 o'clock the Brig^e struck upon a Shoal called *Hoses Shoal?* and there continued until 7 o'clock p. m. Just after they struck, their Brig^e sprang a leak, & a Boat came from the shore to their assistance, and they attempted to lighten her, by throwing over the Ballast, and carried out an anchor to heave her off the shoal, & kept both Pumps working; they having got her off, & weighed the anchor made sail, but the wind became quite calm, and it came on thick weather, and the water rose to that degree, notwithstanding both Pumps going, that it overflowed the Cargo, they kept her above water until the morning of the next day July 12^th, when they were obliged to run her ashore on the vineyard to save their lives and what of the Cargo they could, which was 6 Bales of Cotton, ten Hogsheads of Rum, but lost all the Sugar; wherefore these Deponents protest against the said English cruisers or Tenders as the sole & only cause of the said misfortune & further these Deponents say not; and I the said Notary at the Request of these Deponents did & do hereby protest against the said Cruisers or Tenders by whomsoever they may be commanded in behalf of these Deponents & the Insurers, Passengers or Freighters, owner or Interested in the said Brigantine and her Cargo or any part thereof, for all costs, losses, Damages or Expences already sustained or which may hereafter be sustained by these Deponents or the interested aforesaid by or on account of the said misfortune as the sole means thereof.

Thus done & protested the day & date aforesaid —

In Testimonium cujus presens Instrumentum manu ac sigillo officii attestor rogatus.

JOHN WENDELL, Not. Pub.

Samuel Stacy
Thomas Mead
his
Will^m X Dixon.
mark

Dr. The loss sustained in the Brig^{e} Sally & cargo, owned by Sam^{l} Cutts, from Tortola, Sam^{l} Stacy Mast^{r}, drove upon the Rocks at Edgerton, July 11th 1775 by two Tenders, as pr Protest.

1775 July. To the Brig^{e} Sally & appertenances as appraised by Messrs. Purcell, Wentworth & Clap	£600:	0: 0
To the Cargo on board as pr Invoice, viz.		
19 hogs^{d} of light Muscov^{e} Sug^{r} wt 187 c: 0: 1 at 55 . .	514:	5: 0
12 hogs^{d} of Rum, only 85 gals, lost 3s 3	13:	16: 3
7 Bales Cotton saved	0:	0: 0
To the charge of saving the Int^{r}	39:	10: 4
To the charge of transporting the Part saved . . .	10:	0
To the Protest	0:	15
	£1178:	6: 7

Cr.

1775 July. By a Cable & Anchor & part of the Brig^{e} & sails saved valued at	40	
Ball^{e} being the real loss in the Brig^{e} Sally & Cargo . .	1138:	6: 7
Lawful money	£1178:	6: 7

Portsmouth, Feb^{y} 12th 1776, Errors Excepted

Sam^{l} Cutts.

Portsm^{o} Feb^{y} 12th 1776. We the subscribers were well acquainted with the Brig^{t} Sally, Sam^{l} Stacy master, lately drove ashoar at Edgerton by two British Tenders as by the Capt. & Peoples Protest, are of opinion that said vessel was worth, when she sailed from hence last April, Six hundred pounds Lawful money.

G. Purcell
Josh^{a} Wentworth
Supply Clap.

Letter of Governor Wentworth to Secretary Atkinson.

[This and the accompanying Proclamation, are copied from Amer. Arc. 4th ser. Vol. III., p. 771.]

Gosport, September 21, 1775.

Sir —

Being just arrived at the Shoals, and pressed for time, I can only desire that the Enclosed Proclamation for prorogueing the General Court to the 24th of April next, may be forthwith published and made effectual to its intent. Mr. King will transmit me the copy of Captain Gamble's Patent, properly countersigned.

I am, in haste, dear Sir, your most obedient humble servant.

J'Wentworth.

Honorable Theodore Atkinson, Esq.

Province of New Hampshire — By the Governor.

A Proclamation.

Whereas the General Assembly is now under adjournment to Thursday, the 28th Instant, and it appearing to me no way conducive to his Majesty's service or the welfare of the Province, that the Assembly should meet on that day, but that it is expedient to prorogue them to a farther time, I have

therefore thought fit to issue this Proclamation, prorogueing the meeting of the General Assembly to be held at Portsmouth on the 28th of September instant, to the 24th of April next, at ten o'clock in the forenoon; and the General Assembly is hereby prorogued accordingly, to that time, then to meet at the Court House in Portsmouth aforesaid; and hereof all persons concerned are to take notice, and Govern themselves accordingly.

Given at Gosport the 21st day of September, in the fifteenth year of the reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith, &c. and in the year of our Lord Christ, 1775.

By his Excellency's Command,

J. WENTWORTH.

Theodore Atkinson, Secretary.

NOTE BY THE EDITOR.

Dr. Belknap says, (Farm. Belk. p. 357) of the foregoing Proclamation of Gov. Wentworth: "This was the last Act of his Administration, and the last time that he set his foot in the Province. Thus an end was put to the British Government in New Hampshire, where it had subsisted ninety-five years." It appears, however, from letters which have been published, that Gov. Wentworth continued in this country, after hostilities commenced, two years or more expecting the subjugation of the Colonies. Under date of March 18, 1776, Nantasket Road, to the Earl of Dartmouth, he says: "On the withdrawing of the troops from Boston I have taken a vessel for my removal to whatever place the Fleet and Army shall go to, and propose to continue under its protection." He next writes from Halifax, April 10, 1776; then from Long Island, Nov. 5, 1776; from New York, Jan. 6, 1777; from Flat Bush (L. I.) Jan. 17, 1777, he writes to his sister; again, Feb. 3, 1777, from same place he writes to Col. Holland; from New York, June 8, 1777, he writes to the Secretary of the Treasury, (England) thanking him for a grant of £500 a year; and in a letter dated London May 15, 1778, he says he sailed for England, Feb. 7, 1778, and resides in London.

The letter to his sister, dated Jan. 17, 1777, is so interesting that the whole of it is here subjoined.

Letter of Gov. Wentworth to his Sister, Mrs. Fisher.

[Copied from Coll. of N. H. Hist. Soc., Vol. V., pp. 255–60.]

Flatbush, Long Island, 8 miles from N. York, January 17th 1777.

My Dear Sister,—

I have prevail'd on a man, bound on a trading journey, to forward you this letter, and one to my father, with one from your husband, who was well Oct. 23rd, the latest accts we have from England: Also 7 letters for Mrs. Rindge from my Uncle, who was well at the time — as is Mr. Boyd, Traill and Wy. Langdon. I have a box qt. 16 pr. childrens shoes — 3 pr. woms. silk and 3 pr. Calamanco shoes — 4 patterns of Calacoe and 4 handckfs. which Mr. Fisher sent for you, by Mr. Brinley. Whenever they can be sent you shall have them. Mr. Brinley was fired on 37 days since by a party in the Jerseys — one Ball penetrated under the fifth rib — another below the Hip, and a third just above the Garter — He refused quarter, and rode 4 miles to a party of Waldeckers — There is hopes of his recovery — is at N. York. Mr. Pepperell arrived here some time since — He takes passage for London in 4 days. I think it probable Mr. Fisher and Mr. Rindge will be here in the Spring. Mr. Meserve, Hale and Lutwyche are perfectly well — Capt. Coch-

ran, Mr. Macdonough and Mr. Wentworth are with me and well — they desire their best Regards. From dispositions and intelligence from Pennsylvania and Southward, it is *more* than probable that the present unnatural war is almost at an end — Many important Prizes with cloathing, ammunition &c. have been bro't in to us this week — Great numbers of principal Men have embrac'd the Proclamation — I wish to God my Countrymen would be as wise — Be assur'd an army of 20,000 Russians and 12,000 Wirtenbergers &c. are engag'd and will be in N. England by June next, unless prevented by Peace. Mrs. W. and Charles are very well — the latter is taken under the wing of his noble sponsors and namesake, who are incredibly fond of him. He has the same apartments assign'd him, that his noble namesake occupied in his infancy. They sent for Romulus and Remus, they said 5 weeks since. The schooner Resource, employed in the King's service to land the Guards at Rochelle, struck on a Rock, overset, bilged, and was stripped, and afterwards burn'd by Commodore Hotham, when the army left that place. She will be fairly paid for in a few days — a proper protest is forwarded to Mr. Fisher. Capt. Steel turned out a poor Devil indeed — has a landed Estate in Cumberland left to him of £160 sterg. per *ann.* and gone home to take possession. The Bills for the schooner will be remitted to Mr. Fisher, when received. I rejoice to hear our dear Parents, you and your sweet little ones are all well. I hope it will not be long before we meet. Pray give the little cherubs a million kisses for me. Capt. Bellew has been very ill, but writes me from Halifax 23 Dec^{r} he is recovered, and intirely out of danger — Mark is with him. By Rob^{t} Temple I requested my Father would supply Mrs. Butler ten Guineas. Mr. Butler is well and in good employ — where he saves money and acts laudably. Pray remember me kindly to all my loyal steadfast friends — the time of their rejoicing is at hand. I am in good health, and will not leave America until peace is restored. Those that love me and that I love will be good to Prisoners and Captives — I wou'd sell my all for their comfort. I have not, nor do I wish to receive a line from N. Hampshire. Be ye steadfast — Be ye faithful even to death — I know and rejoice is written on many good souls, who merit my best love. I avoid writing politics, and mean only to convey domestic affection and comfort. May heaven in mercy preserve you all. Mr. Fisher and Rindge are as happy as they can be from their familys, whom they dearly love. I love you all, and will be with you, either in Peace or War, as the Provinces may choose—may our merciful God incline them to the former. Our worthy Parents will accept my most cordial and attach'd salutations, and all will oblige me in their continued affections, which are inestimable to, my dear sister,

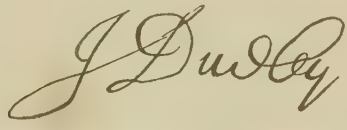
Your affectionate brother

J'WENTWORTH.

Dr. and Mrs. Perkins arrived in London in Oct. last — are well. I send you 5 letters directed to Mr. Russell — they are for you, and you must open them.

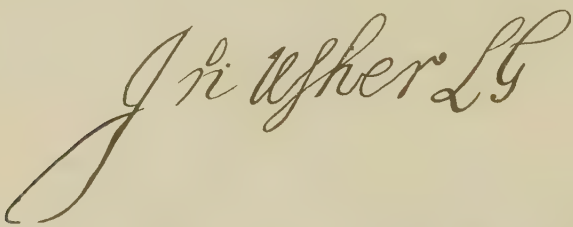
Mrs. Ann Fisher, Portsmouth.

Fac-Similes of the signatures of the Provincial Chief Magistrates of New Hampshire from 1686 *to* 1775.

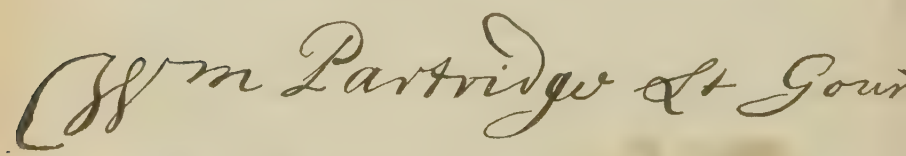


Gov. Joseph Dudley's Commission as President of New England, is dated 27th September 1685. He officiated from 25th of May, 1686, until the arrival of Sir Edmund Andros, in December, the same year. He was afterwards appointed Governor of Massachusetts and New Hampshire. His latter commission was published in Portsmouth, in July, 1702. He continued in office until 1715. He died at Roxbury, Mass., April 2, 1720, aged 72.

Governor Simeon Bradstreet was the chief magistrate of New Hampshire and Massachusetts after the re-union of the former with the latter in 1690. The above represents his signature as affixed to a Commission at that date. He was then 87 years of age, and he lived seven years afterwards, dying at Salem 27th March, 1699, aged 94 years.



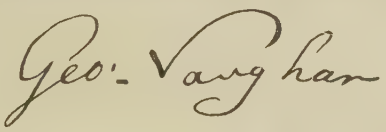
Lieut. Gov. Usher was commander-in-chief several years from 1692. He continued in office until superseded by William Partridge in 1697. He died in Massachusetts, September 5, 1726, aged 78.



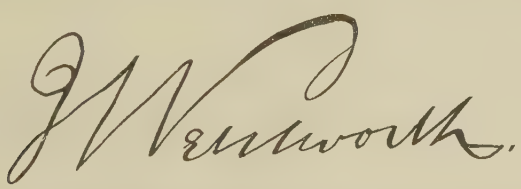
The Commission of Lt. Gov. Partridge is dated June 6, 1696, and his command continued only till the arrival of Gov. Samuel Allen in 1698. He died January 3, 1729, aged 74.

GOVERNOR ALLEN received his commission as Governor of New Hampshire in 1692; but he did not come here until 1698, when he assumed the Government. His Speech made the 3d of January, 1699, is the first in the series in the Volumes of Governors Speeches and Messages. He died suddenly May 4, 1705, in his 70th year.

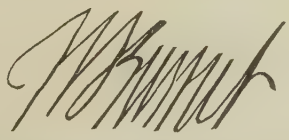
The administration of GOVERNOR SHUTE, over Massachusetts and New Hampshire, continued from 1716 to 1728. By a grant from him, the first settlement was made in Londonderry, 1719. He died April 15, 1742, aged 80.



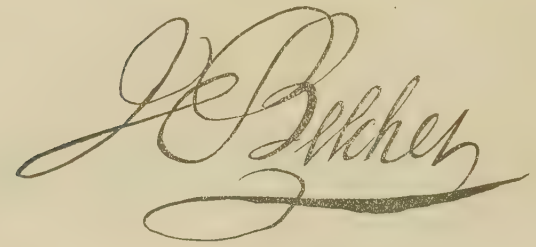
The Commission of LT. GOV. GEORGE VAUGHAN was publicly read, and he installed in office, October 13, 1715. He was suspended from office by Gov. Shute, Sept. 30, 1717.



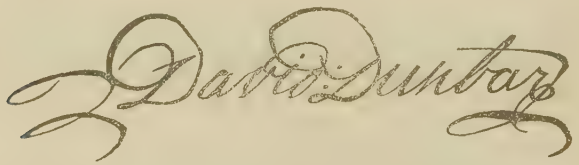
LT. GOV. J. WENTWORTH'S Commission was dated September 12, 1717, and was signed by the celebrated "J. ADDISON," then his Majesty's Secretary of State. It was published at Portsmouth, December 7th, 1717. He died, Dec. 12, 1730, aged 59 years. Of sixteen children, fourteen survived him.



WILLIAM BURNET was Governour of Massachusetts and New Hampshire. He was the oldest son of the celebrated bishop Gilbert Burnet, of England. His administration in New Hampshire commenced in April, 1728. His death was sudden, September 7, 1729, aged 41.



JONATHAN BELCHER entered on his office as Governor of New Hampshire, (as he was also of Massachusetts,) August 25, 1730. He continued in office till 1741. He was afterwards Governor of New Jersey and died at Elizabeth-town, N. J., Aug. 31, 1757, aged 76.



DAVID DUNBAR was, by Commission, 1731, Lieutenant Governor of New Hampshire, under Gov. Belcher — between whom there was no friendship — He left the country for England, 1737.

BENNING WENTWORTH'S administration as Governor, continued from 1741 to 1767. He died October 14, 1770, aged 75, and was succeeded by his nephew.

The Commission of Gov. JOHN WENTWORTH, the last of the loyal Governors of New Hampshire was dated August 11, 1766. He entered on his office in June 1767, and continued till the revolutionary spirit compelled him to withdraw from the Province, 1775.—ED.

REVOLUTIONARY PROCEEDINGS.

COMMENCEMENT OF ORGANIZED ACTION IN NEW HAMPSHIRE IN THE REVOLUTION.

NOTE BY THE EDITOR.

In the Secretary's office, N. H., is a volume labelled "JOURNALS OF THE PROV. CONG. 1775–1776," and of THE HOUSE OF REPRESENTATIVES, 1776." At the beginning of this volume, p. 1, are found Papers arranged by the late John Farmer, Esq., by authority of the Legislature of 1837, together with explanatory remarks by him, which are here copied, as giving a connected view of the progress of the Revolutionary spirit, in New Hampshire.

At a meeting of the General Assembly of New Hampshire, (May 1774.) The House of Representatives, conformably to the proceedings of the Assemblies of the other Colonies, appointed a *Committee of Correspondence.* (1) Governor Wentworth, who had in vain labored to prevent this measure, adjourned the Assembly, and after a few days dissolved it, as will be seen in the last volume of the Province Records (Journal of the House of Representatives). He hoped by this measure to dissolve the Committee of Correspondence also; but in this he failed. They were not restricted by forms, and though they probably kept a Journal of their doings, it has not been found in the State Archives. They soon issued a Summons to the Representatives who met again in their own Chamber. The Governor attended by John Parker, Esquire, Sheriff of the County of Rockingham, went among them. According to custom, they rose at his entrance. He declared the meeting illegal, (*a*) and directed the [P. 2.] Sheriff to make open proclamation for all persons to disperse and keep the King's peace. When he had retired, they resumed their seats, but on further consideration adjourned to another house; and after some consideration came to the determination to send letters to all the Towns and Parishes in the

(1) See *ante*, under date May 28, 1774, *Jour. of the House*, p. 366.—ED.

Province, requesting them to send Deputies to hold a convention at Exeter, who should choose delegates to a *General Congress* to meet at Philadelphia, and to pay their respective Quotas of £200, agreeably to the last proportion of the Provincial tax. They also recommended a day of Fasting and Prayer, to be observed by the several congregations in the Province.

(*a*) *Speech of the Governor, declaring the Assembly illegal.*

[Copied from MS. Gov^{rs} Mess^{s} Vol. III, p. 411.]

Having been informed that some rash and ill-advised Person or Persons, have ventured to assume the Power of summoning together the Representatives of the People of this Province, in the late House of Assembly, in order to deliberate and act in that capacity, thereby wresting out of the King's hands his sole prerogative of calling Assemblys, in open opposition to and defiance of the Laws and his Majesty's authority; and to the utter subversion of the Constitution of this Province, presuming to erect a new, Illegal and dangerous Assembly; And finding that some of the Members of the late Assembly have been so far seduced from their Duty as to concur in this unwarrantable innovation, by obeying such illegal summons, and that you the said Members are here now actually assembled in consequence thereof, to deliberate and act as aforesaid, in this the Chamber of the Representatives of the Province: I do with the greatest concern and earnestness, intreat you instantly to desist from such dangerous Proceedings; and as my Duty indispensably obliges me, I require and hereby command you in his Majesty's name, forthwith to disperse, without disturbing the Peace and good Government of this his Majesty's Province, as you and each of you, will answer the contrary at your Peril.

J'WENTWORTH.

New Hampshire
6th July, 1774.

A Copy of the letter sent to the several Towns and Parishes has not been found on file in the office of Secretary of State; but the following is from the original sent to Atkinson, and it is presumed those sent to other places, agreed with it. This is an important Document, as it appears to have been the first movement for rallying the whole of the People of New Hampshire in the struggle which had commenced.

To the Parish of Atkinson.

Whereas the Colonies in general, upon this Continent, think it highly expedient and necessary in the present critical and alarming situation of their public affairs, that Delegates should be appointed by and in Behalf of each, to join in a General Congress proposed to meet at Philadelphia the first of [p. 3.] September next, to devise and consider what measures will be most adviseable to be taken and pursued by all the Colonies for the establishment of their Rights and Liberties, upon a just and solid foundation, and for the restoration of Union and Harmony between the mother Country and the Colonies: And whereas the members of the late House of Representatives for this Province, now met to deliberate upon the subject, are unanimously of opinion that it is expedient and necessary for this Province to join said Congress for the above purpose,—and recommend it to the Towns in this Province respectively, to chuse and impower one or more persons in their Behalf, to meet at Exeter the 21st Day of this Instant at ten of the clock in the forenoon, to join in the choice of DELEGATES for the GENERAL CON-

GRESS: In order to affect the desired end, it is necessary that each Town, as soon as may be, contribute their proportion of the expence of sending: it is therefore desired, that the same may be raised by subscription or otherwise; and if convenient sent by the person by your Parish appointed; your proportion of which is pounds Lawful money. The utility of which measure is so apparent we doubt not your ready compliance with this proposal.

By desire of the meeting. J. WENTWORTH, Chairman.

Portsmouth July 6, 1774.

P. S. Considering the Distressing situation of our public affairs, Thursday the 14th inst. is recommended to be kept as a day of Fasting, Humiliation and Prayer through this Province.

[P. 4.] Dr. Belknap remarks that the day of Fasting and Prayer was observed with religious solemnity, and that the money to defray the expense of the Delegates to the General Congress was collected.

At the time appointed eighty-five deputies (1) met at Exeter and chose Nathaniel Folsom, of Exeter and John Sullivan to attend the proposed Congress at Philadelphia in the ensuing September. The disturbed condition of the people of Boston as exhibited in the following Correspondence between the Committee of Correspondence of Massachusetts and the Committee of Correspondence of New Hampshire, was laid before the Convention, and recommended to the Commiseration of their brethren in New Hampshire. (2)

Province of Massachusetts Bay.

In the House of Representatives, May 26, 1774.

Resolved, That the Committee of Correspondence be, and they are hereby directed to write to the Committee of Correspondence of all the British Colonies on this Continent inclosing a copy of an unprecedented Act of the British Parliament for shutting up the Port of Boston, and otherwise punishing the Inhabitants of that town, and desire their immediate attention to an Act *designed to suppress the Spirit of liberty in America.*

A true Copy,

Attest, Samuel Adams, Clerk.

[P. 5.] Province of Massachusetts Bay
May 28, 1774.

Gentlemen —

By order of the House of Representatives of this Province, we enclose you an Act passed in the late Session of the British Parliament, entitled "An Act to discontinue in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares and merchandise at the town and within the harbor of Boston, in the Province of Massachusetts Bay, in North America."

(1) The names of these Deputies have not been ascertained.—ED.

(2) See subsequent page under date, July 21, 1774.—ED.

We think the archives of Constantinople might be in vain searched for a parallel. To reason on such an act would be idleness, you will, doubtless, judge every American Colony deeply concerned in it, and contemplate and determine upon it accordingly.

We are with great regard, your Friends and fellow Countrymen.

THOMAS CUSHING
SAM[L] ADAMS
JAMES WARREN
THOS. GARDNER
JOSEPH HAWLEY
WILLIAM HEATH
} Committee of Correspondence.

To the Gentlemen of the Committee of Correspondence appointed by the House of Represenitves of the Province of New Hampshire.

Boston Port Bill.

[Copied from "Addresses to the King," in Sec[ys] office, p. 205.]

Whitehall 6[th] April 1774.

SIR —

I am directed by the Earl of Dartmouth to transmit to you the Inclosed Act of Parliament passed in the present session, and to desire you will cause the same to be made public for Information of those who may be concerned in carrying on Commerce with the Province of Massachusetts Bay.

I am, Sir,
your most obedient Humble servant,
J. POWNALL.

Governor of New Hampshire.

Copy of the Boston Port Bill, as commonly called.

[From Am. Arch. 4 ser. Vol. I, pp. 61–66.]

Anno Decimo Quarto Georgii III. Regis.

An Act to discontinue in such manner, and for such time as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares and Merchandise at the town and within the Harbour of Boston, in the Province of Massachusetts Bay, in North America.

Whereas dangerous Commotions and insurrections have been fomented and raised in the town of Boston, in the Province of the Massachusetts Bay, in New England, by divers ill-affected persons, to the subversion of his Majesty's Government, and to the utter destruction of the public peace and good order of the said town; in which commotions and insurrections certain valuable cargoes of teas, being the property of the East India Company, and on board certain vessels lying within the bay or Harbour of Boston, were seized and destroyed; and whereas in the present condition of the said town and harbour, the Commerce of his Majesty's Subjects cannot be safely carried on there, nor the Customs payable to his Majesty duly collected; and it is therefore expedient that the officers of his Majesty's customs should be forthwith removed from the said town; may it please your Majesty that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, And Commons in this present Parliament assembled, and by the authority of the same, that

from and after the first day of June 1774, it shall not be lawful for any person or persons whatsoever, to lade, or put, or cause or procure to be laden or put, off or from any quay, wharf, or other place, within the said town of Boston, or in or upon any part of the shore of the bay commonly called the Harbour of Boston, between a certain headland or point, called *Nahant Point* on the eastern side of the entrance into the said bay, and a certain headland or point called *Alderton Point*, on the western side of the entrance into the said bay, or in or upon any island, creek, landing place, bank or other place, within the said bay or headlands, into any ship, vessel, lighter, boat, or bottom, any goods, wares, or merchandise whatsoever, to be transported or carried into any other country, province or place whatsoever, or into any other part of the said Province of the Massachusetts Bay, in New England; or to take up, discharge, or lay on land, or cause or procure to be taken up, discharged, or laid on land, within the said town, or in or upon any of the places aforesaid, out of any boat, lighter, ship, vessel or bottom, any goods, wares, or merchandise whatsoever, to be brought from any other country, province, or place, or any other part of the said province of the Massachusetts Bay in New England upon the pain of forfeiture of the said goods, wares and merchandise, and of the said boat, lighter, ship, vessel or other bottom, into which the same shall be put, or out of which the same shall be taken, and of the guns, ammunition, tackle, furniture and stores, in or belonging to the same; and if any such goods, wares or merchandise, shall, within the said town, or in any the places aforesaid, be laden or taken in from the shore into any barge, hoy, lighter, wherry or boat, to be carried on board any ship or vessel outward bound to any other country or province, or other part of said Province of the Massachusetts Bay, in New England, or to be laden or taken into such barge, hoy, lighter, wherry, or out of any ship or vessel coming or arriving from any other country or province, or other part of the said Province of the Massachusetts Bay, in New England, such barge, hoy, lighter, wherry or boat, shall be forfeited and lost.

And be it further enacted by the authority aforesaid, That if any wharfinger, or keeper of any wharf, crane or quay, or their servants, or any of them, shall take up or land, or knowingly suffer to be taken or landed, or shall ship off, or suffer to be waterborne, at or from any of the aforesaid wharfs, cranes or quays, any such goods, wares or merchandise; in every such case, all and every such wharfinger and keeper of such wharf, crane or quay, and every person whatsoever who shall be assisting or other wise concerned in the shipping or in the loading or putting on board any boat or other vessel, for that purpose, or in the unshipping such goods, wares and merchandise, or to whose hand the same shall knowingly come after the loading shipping or unshipping thereof, shall forfeit and lose treble the value thereof, to be computed at the highest price which such sort of goods, wares and merchandise, shall bear at the place where such offence shall be committed, at the time when the same shall be so committed, together with the vessel and boats, and all horses, cattle and carriages, whatsoever made use of in the shipping, unshipping, landing, removing, carriage, or conveyance of any of the aforesaid goods, wares, and merchandise.

And be it further enacted by the authority aforesaid, That if any ship or vessel shall be moored or lie at anchor, or be seen hovering within the said Bay, described and bounded as aforesaid, or the said head lands, or any of the islands lying between or within the same, it shall and may be lawful for any Admiral, Chief Commander, or Commissioned officer of his Majesty's fleet or ships of war, or for any officer of his Majesty's customs, to compel such ship or vessel to depart to some other port or harbour, or to such station as said officer shall appoint, and to use such force for that purpose as shall be found necessary; and if such ship or vessel shall not depart accordingly, within six hours after notice for that purpose given by such person as aforesaid, such ship or vessel, together with all the goods laden on board thereon, and all the guns, ammunition, tackle and furniture, shall be forfeited and lost, whether bulk shall have been broken or not.

Provided always, That nothing in this Act contained, shall extend, or be construed to extend, to any military or other stores for his Majesty's use, or

to the ships or vessels whereon the same shall be laden, which shall be commissioned by, and in the immediate pay of, his Majesty, his heirs and successors; nor to any fuel or victual brought coastways from any part of the continent of America, for the necessary use and sustenance of the inhabitants of the said town of Boston; provided the vessel wherein the same are to be carried, shall be duly furnished with a cocket and let-pass, after having been duly searched by the proper officers of his Majesty's Customs at Marblehead, in the port of Salem, in the said Province of Massachusetts Bay; and the same officer of his Majesty's customs be also put on board the said vessel, who is hereby authorized to go on board, and proceed with the said vessel, together with a sufficient number of persons, properly armed, for his defence, to the said town or harbour of Boston; nor to any ships or vessels which may happen to be within the said harbour of Boston, on or before the first day of June 1774, and may have either laded or taken on board or be there with intent to load or take on board, or to land or discharge any goods, wares and merchandise, provided the said ships and vessels do depart the same harbour within fourteen days after the first day of June, 1774.

And be it further enacted by the authority aforesaid, That all seizures, penalties, and forfeitures, inflicted by this Act, shall be made and prosecuted by any Admiral, Chief Commander, or commissioned officer, of his Majesty's fleet, or ships of war, or by the officers of his Majesty's Customs, or some of them, or by some other person deputed or authorized by warrant from the Lord High Treasurer, or the Commissioners of his Majesty's Treasury for the time being, and by no other person whatsoever; and if any such officer, or other person authorized as aforesaid, shall directly or indirectly, take or receive any bribe or reward, or connive at such lading or unlading, or shall make or commence any collusive seizure, information, or agreement for that purpose, or shall do any other act whatsoever, whereby the goods, wares or merchandise, prohibited as aforesaid, shall be suffered to pass either inwards or outwards, or whereby the forfeitures and penalties inflicted by this Act may be evaded, every such offender shall forfeit the sum of five hundred pounds for every such offence, and shall become incapable of any office or employment, civil or military; and every person who shall give, offer or promise any such bribe or reward, or shall contract, agree or treat with any person, so authorized as aforesaid, to commit any such offence, shall forfeit the sum of fifty pounds.

And be it further enacted by the authority aforesaid, That the forfeitures and penalties inflicted by this Act shall and may be prosecuted, sued for, and recovered, and be divided, paid and applied in like manner, as other penalties and forfeitures, inflicted by any Act or Acts of Parliament, relating to the trade or revenues of the British Colonies, or Plantations in America, are directed to be prosecuted, sued for, or recovered, divided, paid and applied, by two several Acts of Parliament, the one passed in the fourth year of his present Majesty, intituled, "An Act for granting certain Duties in the Brit-"ish Colonies and Plantations in America; for continuing, amending, and "making perpetual an Act, passed in the sixth year of the Reign of his late "Majesty King George, the Second, intituled, An Act for the better securing "and encouraging the trade of his Majesty's Sugar Colonies in America; for "applying the produce of such duties, and of the duties to arise by virtue of "the said Act, towards defraying the expense of defending, protecting, and "securing, the said Colonies and Plantations; for explaining an Act made in "the twenty-fifth year of the Reign of King Charles the Second, intituled, "An Act for the encouragement of the *Greenland* and *Eastland* Trades, and "for the better securing the Plantation Trade; and for altering and disallow-"ing several drawbacks on exports from this Kingdom, and more effectually "preventing the clandestine conveyance of goods to, and from the said Colo-"nies and Plantations, and improving and securing the trade between the "same and Great Britain;" the other passed in the eighth year of his pres-"ent Majesty's Reign intituled, "An Act for the more easy and effectual "recovery of the penalties and forfeitures inflicted by the Acts of Parliament "relating to the trade or revenues of the British Colonies and Plantations in "America."

And be it further enacted, by the authority aforesaid, That every charter party bill of loading, and other contract, for consigning, shipping, or carrying any goods, wares, and merchandise, whatsoever, to or from the said town of Boston, or any part of the bay or harbour thereof, described as aforesaid, which have been made or entered into, or which shall be made or entered into, so long as this Act shall remain in full force, relating to any ship which shall arrive at the said town or harbour, after the first day of June, 1774, shall be, and the same are hereby declared to be, utterly void, to all intents and purposes whatsoever.

And be it further enacted, by the authority aforesaid, That whenever it shall be made to appear to his Majesty, in his Privy Council, that peace and obedience to the Laws shall be so far restored in the said town of Boston, that the trade of Great Britain may be safely carried on there, and his Majesty's customs duly collected, and his Majesty, in his Privy Council, shall adjudge the same to be true, it shall and may be lawful for his Majesty, by Proclamation, or Order of Council, to assign and appoint the extent, bounds and limits, of the Port or Harbour of Boston, and of every creek or haven within the same, or in the islands within the precinct thereof; and also to assign and appoint such and so many open places, quays, and wharfs, within the said harbour, creeks, havens, and islands, for the landing, discharging, lading, and shipping of goods, as his Majesty, his heirs or successors shall judge necessary and expedient; and also to appoint such and so many officers of the Customs therein, as his Majesty shall think fit; after which it shall be lawful for any person or persons to lade or put off from, or to discharge and land upon, such wharfs, quays, and places, so appointed, within the said harbour, and none other, any goods, wares and merchandise whatsoever.

Provided always, That if any goods, wares or merchandise, shall be laden or put off from or discharged or landed upon, any other place than the quays wharfs, or places, so to be appointed, the same, together with the ships, boats, and other vessels employed therein, and the horses, or other cattle and carriages used to convey the same, and the person or persons concerned or assisting therein, or to whose hands the same shall knowingly come, shall suffer all the forfeitures and penalties imposed by this or any other Act on the illegal shipping or landing of goods.

Provided also, And it is hereby declared and enacted, that nothing herein contained shall extend or be construed, to enable his Majesty to appoint such port, harbour, creeks, quays, wharfs, places or officers, in the said town of Boston, or in the said bay or Islands, until it shall sufficiently appear to his Majesty, that full satisfaction hath been made by or on behalf of the inhabitants of the said town of Boston, to the United Company of merchants of England, trading to the East Indies, for the damages sustained by the said Company, by the destruction of their goods sent to the said town of Boston, on board certain ships or vessels, as aforesaid; and until it shall be certified to his Majesty, in Council, by the Governor, or Lieutenant Governor, of the said Province, that reasonable satisfaction hath been made to the officers of his Majesty's Revenue and others, who suffered by the riots and insurrections above mentioned, in the months of November and December, in the year 1773, and in the month of January, in the year 1774.

And be it further enacted, by the authority aforesaid, that if any action or suit shall be commenced either in Great Britain or America, against any person or persons, for anything done in pursuance of this Act of Parliament, the defendant or defendants in such action or suits, may plead the general issue, and give the said Act and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this Act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited or discontinue his action, after the defendant or defendants shall have appeared; or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as defendants have in other cases by law.

[P. 6.] Boston June 4, 1774.

Gentlemen —

We take the earliest opportunity to enclose you copies of two bills brought into Parliament and before this time probably enacted, (1) which we have but just received by a vessel in thirty six days from Bristol. It is also confidently reported that a third bill is to be brought into Parliament for the better regulating the government of the other Provinces in North America. These edicts cruel and oppressive as they are, we consider as but bare specimens of what the continent are to expect from a Parliament who claim a right to make laws binding us in all cases whatsoever.

We are your Friends and Fellow Countrymen,

THOMAS CUSHING
SAMUEL ADAMS
JOSEPH HAWLEY
THOMAS GARDNER
} Committee of Correspondence.

To the Gentlemen, the Committee of
Correspondence appointed by the
House of Representatives of the
Colony of New Hampshire.

Somersworth, June 11th 1774.

Gentlemen —

Your favors of the 28th ult. and 4th instant, made their journey here so slowly from Portsmouth as not to arrive before the 9th instant — after I had seen the tremendous act and pending bills which they covered.

I enclose you a vote of the late Assembly which with the aid of one (not by me) for a Committee to correspond with our sister Colonies, I apprehend [P. 7.] produced a dissolution of them and their Committee at a stroke, on the 8th instant. This measure, I conceive, took its rise from ministerial influence, by express instructions to our amiable Governor, similar to which, I suspect, reach all of his order on the Continent.

A rivetted opinion of the good and gracious intentions of our lawful sovereign, constrains me to believe that to reinstate in his Royal favour, he needs only to be divested of the unfavorable impressions of America's inveterate foes, whose secret machinations evidently tend to disunite what when disunited will be no longer powerful.

The sons of freedom in New Hampshire, I believe, sympathize with your metropolis in its present distress. So mighty a display of ministerial vengeance can be accounted for only from your noble efforts to stem the torrent of oppression. Any notices on the present critical situation of America which you shall please to favour me with (whether I am or am not a member of the next Assembly) shall be acknowledged and faithfully communicated by

Gentlemen, your Friend and Countryman

JOHN WENTWORTH.

To the Gentlemen, the Committee &c.
of the Province of Massachusetts.

(1) The bills referred to are (1) "An act for the Better Regulating the Government of the Province of the Massachusetts Bay in New England;" and (2) "An Act for the Impartial Administration of Justice in cases of Persons questioned for any acts done by them in Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of the Massachusetts Bay in New England. [*See Am. Ar., 4th Ser.. Vol. I, pp.* 103–131.] — ED.

FIRST PROVINCIAL CONGRESS.

NOTE BY THE EDITOR.

The editor is happy to be able to lay before the readers of this volume, an account of the doings of this first Provincial Convention or Congress, as published in the *New Hampshire Gazette*, at Portsmouth, July 29th 1774. The copy was made from the Gazette, by Lory Odell, Esq., of Portsmouth, and is as follows:

Province of New Hampshire

At a meeting of Deputies appointed by the several Towns in this Province, held at Exeter, in the County of Rockingham, 21st of July 1774, for the Election of Delegates on Behalf of this Province, to join the General Congress proposed.(1)

Present Eighty-five Members.

The Hon. John Wentworth, Esq. in the Chair.

It being moved from the Chair, whether it was expedient to send Delegates on the Part of this Province to the General Congress? Resolved *unanimously*, that, under the present Perplexed Situation of the public Affairs of the Colonies, it is expedient and necessary to send such Delegates to the General Congress.

Voted, That, Major John Sullivan and Col. Nathaniel Folsom, Esqrs. be appointed and empowered as Delegates on the Part of this Province, to attend and assist in the General Congress of Delegates from the other Colonies, at such Time and Place as may be appointed, to devise consult and adopt such Measures as may have the most likely Tendency to extricate the Colonies from their present Difficulties, to secure and perpetuate their Rights, Liberties and Privileges, and to restore that Peace, Harmony and mutual Confidence, which once happily subsisted between the Parent Country and her Colonies.

Voted, That two Hundred Pounds lawful Money, generously contributed by the several Towns, and sent by their respective Deputies, agreeable to the Recommendation of the Members of the late House of Representatives, be paid to the Treasurer that may be appointed to receive the same to defray the Expence of sending the Delegates.

Voted, That John Giddings, Esq. be appointed Treasurer to

(1) It is a subject of regret that the names of the Deputies to this Convention of Congress cannot be found.—Ed.

receive the same Money or any other, that may be given for that Purpose, and to pay the same to the Delegates, and to take their Receipts therefor.

Voted, That the Hon. John Wentworth, the Hon. Meshech Weare, Colonel Josiah Bartlett, Colonel Christopher Toppan and John Pickering jun. Esqrs. be a Committee in Behalf of the Deputies appointed by the several Towns, to give general Instructions to the Delegates chosen in Behalf of this Province: That the same Committee be invested with full Power, by and in Behalf of the Deputies present, in case one or both the Delegates elected, should be providentially hindred from going to the General Congress, to elect other Delegate or Delegates in his or their Room: And that the Delegates shall account with the Committee for the Money received.

Voted, *Unanimously*, That the Deputies recommend it to their respective Towns to take into Consideration the distressed unhappy Condition of the Town of Boston, and liberally to contribute towards the Relief of the Poor of that Town, according to the noble and laudable Example of their Sister Colonies.

Landing of tea at Portsmouth.

[Copied from Am. Ar. 4 series, 1774, Vol. I., p. 499.]

Portsmouth, New Hampshire, July 1, 1774. (1)

Last Saturday, June 25th arrived here Captain *Brown* in a mast ship, in eight weeks from *London*, and unluckily for this place, there were on board twenty-seven chests of that pernicious, destructive, troublesome commodity, called *tea*, which for a long time has, and still keeps the whole continent in a ferment, the duty on which operates in so violent a manner on the minds of the inhabitants, not only in the sea-port towns, but the whole country in general, that it will require the most cooling medicines, and the best skill of the ablest political physicians, to prevent the body politic from going into convulsions. However, upon it being certified that there actually were twenty-seven chests of tea consigned to *Edward Parry*, Esquire, of this town, a meeting of the inhabitants of the town was immediately called, and a Special committee chosen to wait upon Mr. *Parry* the consignee, to know whether he would consent to certain proposals which were made to him; that the tea should not be sold here, but be shipped; who, in a genteel manner gave them all the reasonable satisfaction they could desire, and a watch of twenty-five men were appointed by the town to watch two days and two nights, and the third day it was put on board another vessel and sent out of this harbour with a fair wind, committed to the watery element, and hope in due time the owners will receive the nett proceeds, and for the future take care how they send any disagreeable commodity to this Province with a duty thereon.

Every transaction was conducted with the greatest decency and good order possible, which could have done honour to any society. The whole being of one heart and one mind that the tea should go out of this port and harbour immediately, and not be landed in this Province.

(1) This article is supposed to have been published, first in the *New Hampshire Gazette*, at Portsmouth, of July 1, 1774.— Ed.

Extract of a Letter from Governor Wentworth to the Earl of Dartmouth, dated New Hampshire, 4th July, 1774.

[Copied from App. Belk. Hist. of N. H. Vol. III., p. 314–317, Dover, 1812.]

On the 25th of June, at night, arrived here the Grosvenor mast-ship, from London, with 27 chests of bohea-tea, consigned to a merchant in Portsmouth; sometime before the arrival of the ship, it was reported that a quantity of bohea-tea was expected. Hereupon I took effectual precautions to counteract the universal disquiet of America from contravening the acts of Parliament in this instance, or destroying the property. By my desire the consignee wrote a letter to the master of the ship, with directions how to proceed on his arrival. This letter I gave to captain Cochran of his Majesty's castle William and Mary, who effected my orders in delivering it at sea. The 26th, being Sunday, nothing was done. On the 27th the merchant and master went early to the custom-house, and entered the ship and cargo. At noonday the ships boats came to the wharf with twenty-seven chests of tea, carts were prepared, and the tea immediately carried to the custom-house, and there stowed, before any of the people could assemble to obstruct it.

The town not suspecting any movement until my return from Dover, about ten miles off, where I purposely staid during this first operation to secure this event, which I foresaw would be carried quietly, by withdrawing suspicion, having confided my plans to proper magistrates, who I knew would not be disappointed. In the afternoon a town meeting was convened upon the occasion. I came to town and passed on horseback through the concourse, who treated me with their usual kindness and respect. At the meeting, it was represented to the people, that the tea being now lodged in the custom house, the question was totally changed, that nothing could be done, but by consent of, and agreement with the merchant. The meeting proceeded with coolness and temper beyond almost my hope. It was proposed that a committee should be chosen and invested with power to treat with the merchant. In this committee of eleven were many principal gentlemen, discreet men, who I knew detested every idea of violating property: Men disposed to prevent mischief. The town also chose a guard of freeholders, to protect and defend the custom house and the tea from any attempt or interruption, which being sincerely intended was faithfully executed. On the 28th the consignee accepted and agreed to the proposals of the Committee, to export the tea to any market he chose, upon condition the town should re-ship and protect it while in the harbour. This they gladly acceded to, and the town upon adjournment confirmed the proceedings; accordingly the committee and the consignee together, were at the custom-house, where the duty was openly and regularly paid, and the tea again carted through the streets publicly in the day time, without noise, tumult or insult. About 9 o'clock, P. M., three overheated mariners (two of them strangers) endeavored to excite a mob, to destroy the tea and vessel hired to export it. Whereupon I sent for Colonel Fenton who gathered a few gentlemen, repaired to the vessel, and with laudable spirit and prudence they personally guarded both vessel and cargo in safety till the next morning. On the 29th A. M., the comptroller of the Customs informed me, that these marines had got drums and were assembling thoughtless people to destroy the tea and sloop. At the same time I received a letter, No. 1, a copy herewith inclosed, from the consignee, desiring my aid and assistance, to take possession of the sloop and cargo. Whereupon I directed the sheriff instantly to summons the Council, and every magistrate and peace-officer to meet me forthwith on the wharf where the vessel lay, determining to disperse any riotous attempts, and order the vessel to the castle: While I was going out on this my duty, a messenger came to tell me, that some magistrates and two of the council, Mr. Warner and Mr. Rindge, who happened to be in the way, hearing the noise, had repaired to the place and with many other freeholders, silenced the drums, and prevailed on the people to disperse without any outrage. At this time I received a second letter (No. 2, herewith) from the consignee, to the same purport as the first.

I lost no time in writing an order to Captain Cochrane immediately to take possession, defend, protect, and safely deliver the said vessel and cargo to the merchant, or to his orders; and the sheriff, John Parker, Esq. to take command of the castle in his absence, as will appear fully by the enclosure, No. 3. In the evening, about half past 6, observing the wind to be contrary, I dispatched a second order to Captain Cochran, still to continue in the orders of the morning, as by the inclosure No. 4 These orders were directly carried into effect, with a prudence and firmness that does honor to both the officers. On the 30th, the owner of the sloop, the master and the super-cargo, to whose care the consignee committed the tea, came on board, with proper custom-house clearances, and authority from the consignee. Captain Cochrane examined the twenty-seven chests of tea, found them perfectly safe and in good order; desired the three last mentioned persons to examine the same, which they did and then received both vessel and cargo into their possession, and forthwith sailed for Halifax. Mr. Parker, the sheriff, and Captain Cochran, returned to their respective duties, and have made return of their doings, on my orders, as in the inclosures, No. 5 and 6. During these transactions, viz. on the evening of the 27th and morning of the 28th I told the collector and comptroller, also the consignee, that if they wanted any aid or assistance or were apprehensive of danger, I was ready, whenever they would apply to me, and would not only issue orders but in person defend them; that I was confident, the magistrates and freeholders would not desert me: But they would not apply, declaring they then apprehended no danger.

Copy of a letter from Governor Wentworth to the Earl of Dartmouth, dated New Hampshire the 6th of July 1774.

[App. Belk. Hist. Vol. III., p. 318.]

May it please your Lordship —

Upon hearing the committee of correspondence, chosen by the late Assembly of this Province, had issued letters to those members to meet this day in the Representative chamber in Portsmouth, there to deliberate and act, particularly to choose delegates for a general American Congress, and that some of the said persons were convened; I have considered it to be my duty to his Majesty to use my endeavors to disperse and separate so illegal and unwarrantable an attempt. I have therefore convened his Majesty's Council, ordered the sheriff to attend me, and requiring their attendance on me, I went into the room, and immediately read the inclosed speech to them; afterwards I directed the sheriff to make open proclamation for all persons to disperse and keep the King's peace, which was done before they had entered on any business, and I expect will be obeyed, as this letter must be forwarded by express 66 miles to Boston, and reach there to-night, in hopes to save conveyance by Admiral Montague. Whatever further may occur, I shall take due care to transmit to your Lordship as soon as possible, all which is most humbly submitted, dutifully hoping your Lordship's favourable representation of my best zeal, unremitted diligence and fidelity in discharge of my duty, may happily be honoured with his Majesty's approbation. I have the honour to be, with the most perfect respect, &c.

J. WENTWORTH.

[Copied from Am. Ar. 4 ser. Vol. I., pp. 534, '35, '36.]

Boston, July 11, 1774.

At a town meeting at Portsmouth, last week eleven persons were appointed as "A Committee of Inspection to examine and find out if any more tea is imported there, and upon discovery, to give the earliest notice to the Town."

Extract of a letter from Governor Wentworth, to the Earl of Dartmouth dated New Hampshire, 13th July, 1774.

[Ap. Belk. Hist. Vol. III., p. 319.]

The convention mentioned in my dispatch, No. 63, immediately dispersed, without attempting to enter into any measures. Those gentlemen with some others, dined at a tavern, and there in private agreed to recommend to the several parishes in the Province, that they choose persons to meet at Exeter on the 21st instant, for the purpose of appointing delegates to attend, and be part of an American Congress, intended to assemble the 1st of September next, in Pennsylvania or New Jersey. The towns were desired to collect voluntarily, and send by their agents to Exeter, certain sums of money in proportion to their province-tax, amounting to three hundred pounds sterling, to pay the delegates. It was also recommended to the parishes, that the 14th instant be observed as a day of fasting and prayer. It is yet uncertain how far these requisitions will be complied with; but I am apt to believe the spirit of enthusiasm, which generally prevails through the colonies, will create an obedience that reason or religion would fail to procure.

Extract of a letter from Governor Wentworth, to the Earl of Dartmouth, dated New Hampshire, August 29th 1774.

[App. Belk. Hist. Vol. III., pp. 320–322.]

Since my letter, No. 64, the convention of persons chosen by many towns, in consequence of the invitation in that letter referred to, met at Exeter, and elected Col. Folsom and Major Sullivan to be delegates for this Province, at the Congress to be held in Philadelphia, on the first day of September next. The paper No. 1, herewith inclosed, is a copy of the instructions given to those gentlemen, and is the best explanation of their service and employment that I can obtain. I am informed that this convention collected and brought from their respective towns about one hundred and twenty guineas, which was paid into the hands of John Giddinge, Esquire, (who they elected Treasurer) to defray the expense incurred by the delegates aforenamed, who set off on their journey to Philadelphia, on the 10th instant.

The committee of correspondence elected by the late Assembly, and of course dissolved with them, wrote circular letters to all the towns in the Province, copy of which, and printed form of the non-importation and non-consumption agreement, recommended in that letter and accompanying it, are herewith transmitted, No. 2. Some few towns generally subscribed, many others totally rejected. The committee appear conscious that their powers (if any they ever had) ceased with the Assembly that elected them, for they do not date the day of the month, because it succeeded the dissolution; it is certain they had not acted, nor even met together before that.

I think the Province is much more moderate than any other to the southward, although the spirit of enthusiasm is spread, and requires the utmost vigilance and prudence to restrain it from violent excess: this will appear by the inclosure, No. 3, which was carried *nemine contradicente* in this town, upon an attempt some few nights preceding, by a parcel of boys and sailors, to insult a woman who sold tea. Since this vote, the town has been perfectly quiet; those who had tea have sold it without molestation. The inhabitants have now almost universally discontinued the use of Bohea tea, and I apprehend will entirely within three months of this date.

The town clerk of Boston, who is said to be a zealous leader of the popular opposition, has been in this town about a week; immediately appears a publication in the *New Hampshire Gazette*, (1) recommending donations for

(1) The publication here referred to was written by a person whom the Governor did not suspect, and the town clerk knew nothing of it.

Boston which have been followed by a notification to convene in town meeting, 'to grant relief to the poor of the town of Boston,' on the 12th of of September next. It is probable no town grant will be made, and the meeting issue in appointing a committee to receive and transmit voluntary donations, which I believe will not afford much comfort to them, or greatly credit the charitable munificence of the town-meetings; grants are always and ever will be greater on popular pretences than private subscriptions, because those that vote in public pay by far the least part of the grant; as is ever the case with the select-men, who having power over the appointment of rates, probably do not exercise it to their own detriment, and thence more easily join in facilitating and augmenting such gifts, which, from the nature of the office, they have great influence upon. It is greatly to be wished, that gentlemen of property, experience and education, could be persuaded to accept the office of selectmen; but it is impracticable, if they are disinterested, and without other views than the public good, it is very laborious and unprofitable employment: And as I have nothing in my power whereby to reward such good men, they all decline, and the interior regulation of the capital falls into the hands of those who can submit to make it worth their attention.

I beg leave to assure your Lordship of my most faithful diligence in his Majesty's service; and with the greatest deference, to hope for such favorable representation thereof.

I am &c.

J'WENTWORTH.

P. S. The inclosure No. 4, met with very little encouragement, and obtained but few signers (except two or three) who were only among the lower order of people, who signed before they were invited to, and on the same invitation would sign any other paper.

J'W.

TO THE INHABITANTS OF THE PROVINCE OF NEW HAMPSHIRE.

[App. Belk. Vol. III., pp. 332–334, 1812.]

Remember them that are in bonds as bound with them, and them that suffer adversity, as being yourselves also in the body.

Let us consider one another to provoke to love and to good works.

MY DEAR BRETHREN,

Our late House of Deputies, which met at Exeter, having recommended it to the several towns in this Province, to consider the distressed situation of our poor oppressed Brethren in Boston who are suffering the rigor of a cruel and unjust act of Parliament which deprives them of the means of subsistence for an indefinite time, and lend them what help we can afford, to support them in their sufferings: I beg leave to lay before you some considerations, which may serve to show you not how much they *need* (for that your own humanity must inform you) but how much they *deserve* your assistance.

The people of that Town and Colony have ever been remarkable for their humanity and generosity to the distressed. Their bounty has been extended to Jamaica, Nevis, Carolina and other places which have suffered by fires, hurricanes, earthquakes and other calamities, yea, London itself has experienced their kindness, when by the fire in 1666, great numbers there were reduced to poverty. To their tender and benevolent hand *this Province* in particular is greatly indebted if not for its existence, yet certainly for its protection and support, both in matters of civil government and in the furious Indian Wars during those forty years we were united to that Colony. The settlements here must have been broken up had we been left to stand alone, vexed as we were by intestine divisions and the want of an orderly government, labouring under poverty, and attacked by a savage enemy whose tender mercies were cruelty. The sense of their kindness was most grate-

fully expressed in a letter written by President Cutts and his Council in 1680, to that Colony, upon the separation which then took place by the King's Authority. And since that time, every one that is acquainted with the state of this Province, knows that it owes much of its importance to the neighborhood of the Massachusetts government.

Though the town of Boston have themselves suffered greatly by fires, and by the frequent spreading of the small pox among them, yet they have always been at a prodigious expence in supporting the poor, most of whom are not natives of the place, but strangers, who have fallen in among them. For several years past, as I have it from the best authority, their annual poor's bill has amounted to about two thousand pounds sterling; besides which, there is a voluntary quarterly contribution for the poor at a public evening lecture at Faneuil Hall.

Distressed persons of all sorts have ever found Boston the best place to go for relief. Prisoners of war have there found the kindest treatment, and returned captives have been received with the tenderest commiseration. Mr. Williams of Deerfield, in the narrative of his captivity, bears them this testimony. 'The charity of the whole country of Canada, though moved with 'doctrine of merit, does not come up to the charity of Boston alone, where 'notions of merit are rejected.

Now, shall such a people as this suffer unpitied, unassisted? He who hath established this rule 'The liberal deviseth liberal things, and by liberal things he shall stand,' has disposed the hearts of our brethren in the southern Colonies to contribute handsomely already, and when the crops come in we expect they will do much more. And shall not we, though our ability is but small in proportion to theirs, do what we can to enable our brethren who are foremost in the conflict, to maintain the cause in which they are engaged, by a firm and manly perseverance? Will not such communications of charity strengthen the bonds of society, and endear us to each other? And when a firm union is thus cemented, happy in our mutual affection, in the increased cultivation of our lands, in our frugality and economy, we shall securely bid defiance to all the enemies of our peace, and leave this land of LIBERTY a sacred legacy to posterity.

'Terra — potens armis, atque ubere glebæ.'

AMICUS PATRIÆ.

[No date.]

Arrival of another Cargo of Tea.

Extract of a Letter from Governor Wentworth to the Earl of Dartmouth, dated New Hampshire 13th September, 1774.

[Copied from App. Belk., Vol. III, pp. 322–325, 1812.]

On the 8th instant, about sunset, arrived in the port of Piscataqua the Fox mast ship, having on board 30 chests of bohea tea, consigned to Mr. Edward Parry of this town. Previous to this arrival it had been reported that such an event was expected. I therefore early instructed captain Cochran of his Majesty's castle, William and Mary, in this Province, to render all the aid and assistance in his power upon the first applicatian, as by the copy, No. 1, which I beg leave to inclose to your Lordship herewith. Accordingly captain Cochran, always indefatigable in his duty, went off to the ship while at sea and proffered his service. Some few days before this arrival, letters were received from London, mentioning the shipping of the tea, to sundry persons whence it became very publick. A ship last week arrived at Salem with a quantity of tea on board, also confirmed the expectation of the like here. These things, added to a report from Salem that the people would not admit the tea to be landed, entered, or pay the duty there, and the enthusiastic spirit of that Province daily gaining ground both there and here, notwithstanding

my utmost efforts and vigilance, rendered the event of this importation more precarious than the former, and raised almost insurmountable obstacles against its preservation.

As soon as it was generally known that tea was arrived here, the disquiet broke forth among the populace, and at a quarter past ten at night I received a letter, No. 2, from Mr. Parry, informing of his windows being broken by a mob, and desiring protection. At half past ten I sent Mr. M'Donah, my private secretary, and my brother, who happened to be at my house, to inquire of Mr. Parry what was necessary, and, if any danger, to offer him the protection of my house, which they did; but the attempted mob having subsided, he saw there was no danger, and remained quietly and safely in his own lodgings. At three quarters past 9 A. M. of the 9th instant, Mr. Parry brought me a petition to the Governor and Council, praying the protection of government, as in the inclosed copy, No. 3. Whereupon I convened the Council within an hour, and received advice from them to call in the Justices that were in town, and require their execution of their duty, which they with laudable prudence and firmness immediately proceeded upon, and with desirable success.

Mr. Parry and Captain Norman were informed of these proceedings, and by me told at the Council Board that the Governor, Council, and Magistrates, would, upon the least notice, support and protect them and their property, and that we should all be in readiness. At six P. M. I adjourned till nine o'clock next morning, and sent for the Chief Justice, Sheriff and Attorney-General from Exeter, where the Superior Court was and is sitting.

Also Mr. Gilman and Waldron from Exeter and Dover, to make a full Council. That nothing might be wanting to execute the law, and preserve the public peace, the Council sat till two o'clock; and no further application made nor any appearance of riot or violence whatever. I proposed to the Council to consider and advise me what further was needful to be done upon the petition; this was referred to a committee to report upon, and I adjourned till Monday, the twelfth instant, ten o'clock A. M.

During this period, viz. the 9th and 10th instant, the town meetings were agitated. At length a committee were chosen to consult with Mr. Parry and the Captain, who agreed to export the tea to Halifax, after being duly entered and paying the duty. About five o'clock P. M. of the 10th, Mr. Parry and Captain Norman came to me and informed me of this agreement, and that they were obliged to the government for their protection, which they imagined was no longer necessary on this occasion. However, I judged it prudent to meet the Council on the adjournment, and to have the Council convened again in the afternoon, as there was a town meeting sitting and I could not be certain of established quiet till that was over. The vessel with the tea sailed the 11th instant, with a fair wind, for Halifax, and the town is in peace. The whole proceedings of Council affair I beg leave herewith to transmit to your Lordship in the Paper No. 4.

Notwithstanding, I can still have the pleasure to represent to your Lordship that this Province continues more moderate than any to the southward; yet, at the same time, truth requires me to suggest, that the the union of the colonies in sentiment is not divided nor lost in New Hampshire, although they have hitherto been prevailed upon to abstain from acts of general violence and outrage, and the laws have their course. How long it will remain so is impossible to foresee; I confess much good may not reasonably be counted upon, while the unhappy distractions in the Massachusetts bay gain ground and spread with such violence as cannot but be extremely deplored by every considerate man.

Copy of Proceedings of the Council in Relation to the foregoing Affair.

[Copied from Prov. & Revy Papers in Secys office, pp. 21–26.]

His Excellency ordered to be read the Petition of Edward Parry Esq. of this day's Date setting forth that 30 chests of Tea had been consigned to him in the ship Fox, Zarh Norman, Master, just arrived from London, and that he was apprehensive of Danger to himself and Property if he attempted to land the said Tea; And the said Petition being read & laid before the Board for their consideration his Excy asked the advice of the Council thereupon; who after Inquiry & Deliberation of the subject of said Petition did advise that the Magistrates of the Town be forthwith convened before the Board and that they be enjoined to exert themselves to preserve the Peace & good order of the Town, and especially that they be active in affording their aid and assistance to protect the person and property of the said Mr. Parry the petitioner by all legal means whatsoever in their power, from the Detriment & violence which he apprehends to receive from the People.

In consequence of this Resolution of Council, Hunking Wentworth, John Newmarch, Saml Penhallow & John Fenton, Esqrs Magistrates of this Town being immediately sent for appeared before the Board, and the application of the Petitioner was communicated to them, and likewise the Resolution of the Board upon the matter, and they were enjoined by his Excellcy the Governor to an active Execution of their Duty in conformity thereto.

Upon further consideration of Mr. Parry's Petition it appear'd to the Board by the Evidence of John Cochran, Esqr commander of William & Mary Castle & Mr. Geo. King, Pilot in the Harbour of Portsmouth, that the ship Fox was moored in Piscataway River near the shore of the Massachusetts government without the limits of this Province. His Excellency the Governor & Council sent for Mr. Parry the Petitioner & the Captn of the said ship Fox, and acquainted them with the proceedings of the Board upon the Petition, and that they would give them every assistance the Government afforded for their Protection, in case of need desired them to apply to the Magistrates of the Town. And further acquainted that any violence attempted against the ship & Tea while they were in the Massachusetts government would be out of the Jurisdiction of the Magistrates of this Province.

Province of New Hampshire, September the 12: 1774.

We being appointed by his Majesty's Council on Saturday the 10th Inst. to consider & report to this Board upon his Excellency's proposition to the Council, "What further Proceedings were necessary to be held upon the Petition of Edward Parry Esq. now before the Board," We beg leave to report: That no further

application or Information having been laid before this Board which has been kept convened togeather in the Council Chamber by his Excellency the Govern^{r} in readiness to receive any such on Fryday & Saturday 'til 2 o'clock P. M. & from thence by adjournm^{t} to this Day at 10 o'clock, A. M. from thence til 4 o'clock P. M.

We are of opinion that the Directions given to the magistrates of the Town by his Excellency by advice of Council & communicated to the said Edward Parry Esq^{r} have been effectual to the Preservation of the Person & Property of the said Edward Parry. The Committee are confirmed in this opinion by the information laid before the Board this morning by his Excellency the Governor, that the said Edward Parry & Capt. Norman (the person mentioned in the Petition) had Personally waited on him on Saturday at 5 o'clock P. M. & informed his Excellency that the ship Fox was removed into this Province, that they had no occasion for any further aid or assistance of the Governm^{t} relative to the Petition of the said Ed^{d} Parry for that the Tea therein mentioned had been legally entered & paid his Majesty's Dutys at the Custom House in this Town & were by them shipping for exportation to Halifax, and that Capt^{n} Norman return'd thanks to the Govern^{r} and Council for their ready & persevering interposition in the Premises.

The Committee upon enquiry concerning the Insult complained of by the s^{d} Edward Parry in his Petition, he having hitherto offered no proof thereof, are of opinion that it is more Probable the squares of glass broken in his Lodging by some unadvised Person or Persons unknown would have happened had Mr. Parry been absent & therefore not intended to injure him, and that the Town of Portsm^{o} have born publick Testimony of their disapprobation of all violence & riots whatever by their Selectmens Directions to have the Windows afores^{d} forthwith fully repair'd on the Town's cost — Also that the mob suggested did not exceed a suddain gathering of a very few persons, chiefly boys & Negroes, which ceased before Mr. Parry made any application & without any Damage except the breaking the glass aforesaid, if that was done by them, of which there is no proof.

The Petitioner not having exhibited any copies of the proceedings of the Town of Portsm^{o} referred to in his Petition & none having been in any mode before this Board & the Prayer of the Petition having been affected relative to the Petitioner and his Property, & the Town still continuing in perfect Peace & Quietness, the Committee are of oppinion for the reasons afore recited that no further Proceedings are necessary or proper upon the Petition of the said Edward Parry.

Which is Humbly Submitted

THEODORE ATKINSON
JONATHAN WARNER } Committee.
DANIEL ROGERS

Frances Town Resolves.

[Copied from Am. Ar. 4th Ser. Vol. I., p. 887.]

Province of New Hampshire,

County of Hillsborough, Oct. 21, 1774.

We the subscribers, being Inhabitants of Frances Town, having taken into our most serious consideration the alarming affairs of this Country at the present day, do most firmly enter into the following Resolutions, viz.:

1st. That we will at all times defend our liberties and privileges, both civil and religious, even to the risk of our fortunes; and will not only disapprove of, but wholly despise such persons as we have just and solid reasons to think wish us deprived of the same.

2nd *Resolved*, That we do abhor and abominate all oppressive Acts of persons in power, whether Majistrate or officer, whereby the poor are distressed, are unlawfully robbed of their properties in any unjust manner whatever; and we will always endeavor to treat them with such neglect and contempt as they justly deserve.

3d *Resolved*, That we will at all times be ready to assist the Civil Magistrates due execution of their offices at the risk of our lives; And will at all times show our disapprobation of all unlawful proceedings of unjust men congregating together as they pretend to maintain their liberties, and even trample under foot the very law of liberty, and wholly destroy that law our whole land firmly wish and desire to maintain. And we,

4thly *Resolved*, They are bold despisers of Law, and that their proceedings directly tend to the utter subversion of all regularity and good order among his Majesty's good subjects in this land.

John Quigly	Nathan Fisher	Thos. McLaughlin
Oliver Holmes	Daniel Clark	Asa Lewis
Samuel Nutt	William Holmes	Charles Mellon
Thomas Quigley	William McMasters	John Balch
Samuel Nicols	Zachariah Whiting	William Quigly
David Gregg	Hugh Montgomery	Thomas Quigly, jr.
William Stanett	Adam Dickey	James Fisher.
Robert Fulton.	Peter Christy.	

Extract of a Letter from Governor Wentworth to the Earl of Dartmouth, dated New Hampshire 15th *November*, 1774.

[App. Belk. Vol. III., p. 325, 1812.]

At an adjournment of a town meeting in Portsmouth, in October last, fifty-two voters reconsidered a vote of fifty-six voters in a previous meeting, "not to grant the town monies for a donation to Boston; but that a voluntary subscription be opened for that purpose." This lesser number granted two hundred pound proclamation money, which is near four times their Province tax.

They also proceeded to choose a committee of forty-five persons, chiefly out of the number there present, and stile themselves, "A committee of Ways and Means." I hear one-half the number refused to act. The remainder convened together and prevailed on Mr. Wentworth, an old gentleman of seventy-eight years, (1) and lately extremely impaired by recent epileptic fits, to be their chairman. General Gage having desired me to furnish some carpenters to build and prepare quarters for his Majesty's troops in Boston, the carpenters there being withdrawn, and the service much dis-

(1) This "old gentleman" was Hon. Hunking Wentworth, uncle of the Governor.—Ed.

tressed; I immediately engaged and sent him a party of able men, which arrived to the General, and are very useful. However, this committee considered it as very obnoxious, and chose a sub-committee from among their acting members, to draw up resolves relative to this matter, which I am informed they did, and were accordingly published in the inclosed New Hampshire Gazette, No. 940, which excited the designed madness through the interior part of the Province, and solely gave rise to the proceedings at Rochester, as published in the Gazette, No. 942, herewith transmitted. Indeed, had not the Rochester committee acted with great prudence, and consented to call Mr. Austin before them, it is greatly to be apprehended very essential outrages would have been committed on his estate, and his person endangered through the violence of a deluded populace. From these motives only were those three gentlemen in Rochester prevailed on to act in a business the whole of which they publicly disapproved, but had not power to suppress. During these agitations Captain Holland, by desire of Brigadier General Robinson, had purchased some blankets for the army. The committee forbad him to ship any, and he immediately sent them all to my house for safety, whence I directly shipped them for Boston, and they are safely delivered. In the counties of Hillsborough and Cheshire I have heard there have been several reprehensible violences committed, under popular pretence of Liberty; nevertheless I took such measures, that, I am informed, by the majistrates of those counties, the difficulties begin to subside. But I cannot flatter myself with any reasonable hopes of the legal establishment of the powers of government in this Province, until they are effectually restored in the Massachusetts Bay. I have been successful in prevailing on soldiers deserted from the King's troops at Boston, to return to their duty, through the spirited and prudent activity of Major Thompson (1) a militia officer of New Hampshire, whose management, the General writes me, promises further success. The town of Exeter have followed the example of Portsmouth and granted one hundred pounds to Boston, and I apprehend many other towns will do the like.

Documents relating to the Transactions above mentioned.

Sending Artificers to General Gage.

[Copied from Amer. Ar., 4th Ser., Vol. I, p. 974.]

Rochester, New Hampshire, Nov. 11, 1774.

On Tuesday, the eighth instant, the Committee of Correspondence at this place, at the desire of a number of people, wrote to Mr. Nicholas Austin, of Middletown, to attend them at the house of Mr. Stephen Wentworth, it being suspected that he was employed in procuring artificers at Wolfesborough &c. to go to Boston to build Barracks for the soldiery there. Mr. Austin accordingly waited upon them, and the charge in some measure being proved against him, he was obliged on his knees, as nothing less would satisfy, to make the following confession, viz.

"Before this company I confess I have been aiding and assisting in sending men to Boston to build Barracks for the soldiers to live in, at which you have reason justly to be offended, which I am sorry for, and humbly ask your forgiveness; and I do affirm, that for the future, I never will be aiding or assisting in any wise whatever in act or deed, contrary to the Constitution of the Country, as witness my hand.

NICHOLAS AUSTEN."

(1) See notice of Major Benjamin Thompson, afterwards Count Rumford, in Potter's Mil. Hist. Adj. Gen. Rep. 1866, Vol. II., p. 262. Also Bouton's Hist. Concord, pp. 263-64. 570-71. Memoir of, by George E. Ellis, Boston, 1871.

Major Benjamin Thompson.

[Copied from Amer. Ar., 4th Ser., Vol. I., p. 647.]

The Petition of Benjamin Thompson Esq. of Concord, in the Province of New Hampshire, *humbly sheweth* —

That on Monday the 15th instant, your petitioner was taken up and confined in this town [Woburn, Ms.] upon suspicion of being inimical to the liberties of this Country; and that in consequence of his being taken up, the Committee of Correspondence for the Town, after having given publick notice of the time and place of hearing, and desired all persons that could give evidence to attend, proceeded to an examination of the affair, agreeable to the recommendation of the Honourable Provincial Congress. But as no person appeared to lay anything of consequence to his charge, and as the Committee were not pleased either to acquit or condemn him; and as his own personal safety, as well as the quiet and satisfaction of the publick, but more especially of the people of New Hampshire depends on his having an acquittance after the most publick, thorough and impartial examination, your petitioner humbly prays that the Committee of Safety would be pleased to take the matter into consideration, and examine the same; and that they would be pleased to give notice of the time and place of hearing, not only to the people of New Hampshire, and others that are in the army at Cambridge, or elsewhere, but also that the publick in general, and the inhabitants of the Town of Concord, in the Province of New Hampshire and the adjacent Towns in particular, be desired to attend or send depositions of what they know relative to the affair. And your petitioner, as in duty bound, shall ever pray, &c.

BENJ. THOMPSON.

[No date.]

Extract of a Letter from Governor Wentworth, to the Earl of Dartmouth, dated New Hampshire, December 2, 1774.

[App. Belk. Vol. III, p. 327, 1812.]

The forming a Continental Congress was so universally adopted by the other Colonies, that it was impossible to prevent this Province from joining therein, and accepting the measures recommended, which are received implicitly. So great is the present delusion, that most people receive them as matters of obedience, not of considerate examination, whereon they may exercise their own judgment. Accordingly on their first publication, the acting part of the committee mentioned in my dispatch, No. 69, forbad an exportation of fifty sheep, the adventure of a ship-master, bound to the West Indies, and caused him, at some loss, to dispose of his sheep, and unlade the provision made for them.

This day the Provincial committee nominated at Exeter by the electors of the delegates to the Congress, have published their mandate, herewith enclosed, for a general submission to the resolves of the Congress, signed by their chairman, who was speaker in the late General Assembly.

It is much to be wished the Colonies had pursued the mode of representation your Lordship is pleased to mention. At present, I apprehend, the respective Assemblies will embrace the first hour of their meeting, formally to recognize all the proceedings of the Congress, and if they should superadd it will not probably be less violent than the example which will be their foundation.

Seizure of Fort William and Mary at New Castle.

Copy of a Letter from Governor Wentworth to General Gage, dated 14th of December, 1774.

[App. Belk. Vol. III., p. 328, 1812.]

Portsmouth, New Hampshire.

SIR —

I have the honor to receive your Excellency's letter of the 19th inst. with the letter from the Secretary of State, which were both delivered to me on Monday evening last by Mr. Whiting.

It is with the utmost concern I am called upon by my duty to the King, to communicate to your Excellency a most unhappy affair perpetrated here this day.

Yesterday in the afternoon, Paul Revere arrived in this town, express from the committee in Boston to another committee in this town, and delivered his dispatch to Mr. Samuel Cutts, merchant of this town, who immediately convened the committee of which he is one, and as I learn, laid it before them. This day before any suspicions could be had of their intentions, about four hundred men were collected together, and immediately proceeded to his Majesty's Castle, William and Mary, at the entrance of this harbour, and forcibly took possession thereof; notwithstanding the best defence that could be made by Captain Cochran (whose conduct has been extremely laudable, as your Excellency will see by the enclosed letter from him) and by violence carried away upwards of 100 barrels of powder belonging to the King, deposited in the castle. I am informed that expresses have been circulated through the neighboring towns, to collect a number of people to-morrow, or as soon as possible, to carry away all the cannon and arms belonging to the castle, which they will undoubtedly effect, unless some assistance should arrive from Boston in time to prevent it. This event too plainly proves the imbecility of this government to carry into execution his Majesty's order in Council, for seizing and detaining arms and ammunition imported into this Province, without some strong ships of war in this harbour: Neither is the Province or custom house treasury in any degree safe; if it should come into the mind of the popular leaders to seize upon them.

The principal persons who took the lead in this enormity are well known. Upon the best information I can obtain, this mischief originates from the publishing the Secretary of State's letter, and the King's order in Council at Rhode Island, prohibiting the exportation of military stores from Great Britain, and the proceedings in that Colony in consequence of it, which have been published here by the forementioned Mr. Revere, and the dispatch brought, before which all was perfectly quiet and peaceable here. I am, &c.

(Signed) J'WENTWORTH.

Copy of a Letter from Captain Cochran, Commander of Fort William and Mary, in New Hampshire, to Governor Wentworth, dated the 14th of December, 1774.

[App. Belk., Vol. III., p. 330, 1812.]

May it please your Excellency —

I received your Excellency's favour of yesterday, and in obedience thereto kept a strict watch all night, and added two men to my usual number, being all I could get. Nothing material occurred till this day one o'clock, when I was informed there was a number of people coming to take possession of the Fort, upon which, having only five effective men with me, I prepared to make the best defence I could, and pointed some guns to those places where I

expected they would enter. About three o'clock the Fort was beset on all sides by upwards of four hundred men. I told them, on their peril, not to enter: They replied they would. I immediately ordered three four pounders to be fired on them, and then the small arms, and before we could be ready to fire again, we were stormed on all quarters, and they immediately secured both me and my men, and kept us prisoners about one hour and a half, during which time they broke open the powder-house, and took all the powder away except one barrel, and having put it into boats and sent it off, they released me from my confinement. To which can only add, that I did all in my power to defend the fort, but all my efforts could not avail against so great a number.

(Signed) I am your Excellency's, &c.

JOHN COCHRAN.

To Lieut. John Beck — greeting —

You are to Notify & Warn all the Commission officers of the *said* first Regm^{t} of militia in this his Majesty's Pro: of New Hamp^{r} that are at Present within the Town of Portsm^{o} to attend on me at my Dwelling House or at the Council Chamber. & this without Delay there to receive such further orders as may Issue.

I am y^{r} friend &c.

A^{n}. Col. of the 1st Regim^{t}.

Portsm^{o} Xbr. 15, 1774 — 7 o'ck A. M.

Indorsed — "Decemb^{r} 15, 1774,
Summous to the officers of y^{e} 1st Regiment to attend, &c.

Soldiers called for.

[Copied from MS. Corr. Vol. III., p. 337.]

Province of New Hamp^{r}

To Capt. John Dennet & the Commission officer of the First Regiment of Militia in the Province of New Hampshire:

Gentlemen —

You are without Delay out of your several Companies to Enlist or Impress Thirty effective men to serve his Majesty as a Guard & Protection to his Fort William & Mary at New Castle and make return Imediately to me of your doings therein with the Names of the Persons so inlisted &c. that Provision may be made for their being regularly placed in the said Garrison, for all which this is your Warrant.

I am, Gentlemen, your friend &c.

THEODORE ATKINSON, Maj^{r} Gen^{l}.

Dated at Portsm^{o} in the 15th of Decem^{r} 1774 12 o'clock at noon.

Indorsed on the back of the foregoing order is the following—

Pursuant to the within Warrant we have Paraded the streets, caused the Drums to be Beat, & Proclamation to be made at all the Publick corners, & on the Place of Parade, no Person appearing to Enlist we wait for further orders.

John Dennet } Commanding
James Stoodley } Officers.

Portsmouth, 15 December
6 o'clock, P. M.

Portsmouth Volunteers.

[Copied from "Belk. Papers," p. 301.]

We, the subscribers, being desirous of attaining the Military Art, do agree on the following Rules and Regulations, viz.

1st. That we will meet at some place that shall be agreed on by the Company, every Monday and Thursday evening, for the purpose aforesaid.

2d. That on the first Monday evening of every month, (after the exercise is over) we will choose a proper person to instruct and preside over the Company, also a Clerk, and any other Officers that may be judged necessary.

3d. That we will pay obedience and strict attention to such as we shall appoint from time to time to instruct and command the Company.

Portsmouth, December 20, 1774.

April 6th, 1775 — The Company, taking into consideration the shortness of the evenings, and their numbers being so much increased that it is inconvenient to exercise any longer within doors; therefore,

Voted, That after the 10th day of April instant, we will meet on the parade or some other convenient place, on Monday and Thursday mornings, precisely at sunrise.

Voted, That Dr. Hall Jackson, Messrs. James Sheafe, George Hart, George Gains, and Jeremiah Libby, be a Committee to wait on the Honourable Theodore Atkinson, Esquire, Colonel of the Regiment to which we belong, and request the favour of him to grant us liberty to beat a drum to call the Company together; and also to present to him a copy of our Rules and Regulations, that he may be convinced that we are not a Company detached from his regiment and command.

Attest: J. Libby, Clerk.

Portsmouth, April 7, 1775.

Copy of an Extract of a Letter from Governor Wentworth to Governor Gage, dated Portsmouth, New Hampshire, the 16th of December, 1774.

[App. Belk. Vol. III., p. 331, 1812.]

On Wednesday last after 12 o'clock, an insurrection suddenly took place in town and immediately proceeded to his Majesty's castle, attacked, overpowered, wounded and confined the Captain, and thence took away all the King's powder. Yesterday numbers more assembled, and last night brought off many cannon, &c., and about sixty muskets. This day the town is full of armed men, who refuse to disperse, but appear determined to complete the dismantling the fortress entirely. Hitherto the people abstain from private or personal injuries; how long they will be so prevailed on, it is impossible to say. I most sincerely lament the present distractions which seem to have burst forth by means of a letter from William Cooper to Samuel Cutts, delivered here on Tuesday last, P. M., by Paul Revere. I have not time to add further on this melancholly subject.

P. S. The populace threaten to abuse Colonel Fenton, (1) because he has to them declared the folly of their conduct, and that he will do his duty as a justice in executing the laws. They will never prevail on him to retract, if all the men in the Province attack him. If I had had two hundred such men, the castle and all therein would yet have been safe. At this moment the heavy cannon are not carried off, but how soon they may be, I cannot say.

(1) See further in relation to Col. Fenton, under date, May 23 ——, 1775.—Ed.

Extracts of Letters to Gentlemen in New York.

[Copied from Am. Ar., 4th Ser. Vol. I., pp. 1042–3.]

Portsmouth, New Hampshire, Decr 16, 1774.

We have been in confusion here for two days, on account of an express from Boston, informing that two Regiments were coming to take possession of our Fort; by beat of drum, two hundred men immediately assembled and went to the Castle, in two gondolas, who on their way were joined by one hundred and fifty more, and demanded the surrender of the Fort, which Captain Cochran refused, and fired three Guns, but no lives were lost; upon which they immediately scaled the walls, disarmed the Captain and his men, took possession of ninety-seven barrels of Powder, put it on board the Gondolas, brought it up to Town and went off with it some distance into the country. Yesterday the town was full of men from the country, who marched in in form, chose a Committee to wait on the Governor, who assured them he knew of no such design as sending Troops, Ships, &c. This morning I hear there is a thousand or fifteen hundred men on their march to town. The Governour and Council sat yesterday on the affair, and are now meeting again. The men who came down, are those of the best property and note in the Province.

Portsmouth, N. H., December 17, 1774.

On Wednesday last a Drum and fife pervaded the streets of Portsmouth, accompanied by several Committee-men, and the Sons of Liberty, publickly avowing their intention of taking possession of Fort William and Mary, which was garrisoned by six invalids. After a great number of people had collected together, they embarked on board scows, boats, &c. entered the Fort, seized the Gunpowder, fired off the Guns, and carried the Powder up to Exeter, a Town fifteen miles distant. The quantity was about two hundred to two hundred and twenty barrels; the day after, while the Governor and Council were assembled in the Council Chamber, between two and three hundred persons came from Durham, and the adjoining Towns, headed by Major *Sullivan*, one of the Delegates of the Congress; they drew up before the Council Chamber, and demanded an answer to the following question: Whether there were any ships or troops expected here, or if the Governour had wrote for any? They were answered that his Excellency knew of no forces coming hither, and that none had been sent for; upon which they retired to the Taverns and about ten or eleven o'clock at night, a large party repaired to the Fort, and it is said they carried away all the small arms. This morning about sixty horsemen accoutred, came into Town, and gave out that seven hundred more were on their march to Portsmouth, from Exeter, Greenland, New Market, &c. and would be in that Town by eleven o'clock; their intentions, it is suspected, is to dismantle the Fort, and throw the Cannon, consisting of a fine train of 42-pounders, into the sea.

Province of New Hampshire.

A Proclamation by the Governor.

[Copied from printed Proclamation, in MS. Corr., Vol. III., p. 334.]

Whereas several Bodies of Men did, in the day time of the 14th and in the Night of the 15th of this Instant December, in the most daring and rebellious Manner invest, attack, and forcibly enter into his Majesty's Castle William and Mary in this Province, and overpowering and confining the Captain and Garrison, did, besides committing many treasonable Insults and Outrages, break open the Magazine of said Castle and plunder it of above One

hundred Barrels of Gunpowder, with upwards of sixty Stand of small Arms, and did also force from the Ramparts of said Castle and carry off sixteen Pieces of Cannon, and other military Stores, in open Hostility and direct Oppugnation of his Majesty's Government, and in the most atrocious Contempt of his Crown and Dignity:—

I Do, by Advice and Consent of his Majesty's Council, issue this Proclamation, ordering and requiring in his Majesty's Name, all Magistrates and other officers whether Civil or Military, as they regard their Duty to the KING and the Tenor of the Oaths they have solemnly taken and subscribed, to exert themselves in detecting and securing in some of his Majesty's Goals in this Province the said Offenders, in Order to their being brought to condign punishment; And from motives of Duty to the King and Regard to the Welfare of the good People of this Province: I do in the most earnest and solemn Manner, exhort and enjoin you, his Majesty's liege Subjects of this Government, to beware of suffering yourselves to be seduced by the false Art or Menaces of abandoned Men, to abet, protect, or screen from Justice any of the said high handed Offenders, or to withhold or secrete his Majesty's Munition forcibly taken from his Castle; but that each and every of you will use your utmost Endeavours to detect and discover the Perpetrators of these Crimes to the civil Magistrate, and assist in securing and bringing them to Justice, and in recovering the King's Munition; This Injunction it is my bounden Duty to lay strictly upon you, and to require your Obedience thereto; as you value individually your Faith and Allegiance to his Majesty, as you wish to preserve that Reputation to the Province in general; and as you would avert the most dreadful but most certain Consequences of a contrary conduct to yourselves and Posterity.

GIVEN at the Council-Chamber in Portsmouth, the 26th Day of December, in the 15th Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of Great Britain, France and Ireland, KING, Defender of the Faith, &c., and in the year of our Lord CHRIST, 1774.

J WENTWORTH.

By his Excellency's Command
with advice of Council.
Theodore Atkinson, Secy.

GOD SAVE THE KING.

Extract of a Letter from Exeter, in New Hampshire, dated January 2, 1775.

[Copied from Am. Ar. 4th ser. Vol. I., p. 1105.]

At a legal Meeting of the Inhabitants of this Town, held here last Monday, among other things it was voted unanimously to adopt the ASSOCIATION OF THE CONTINENTAL CONGRESS, (1) and a numerous Committee was chosen to see the same was duly observed and strictly adhered to.

At the same meeting five Deputies were appointed to assist at the Convention to meet here the 25th instant, for the choice of Delegates to represent this Province at the Continental Congress proposed to be held at Philadelphia in May next; and the said Deputies were empowered to join with the other Deputies of the Convention in choosing a Committee of their body to proportion the sum to be allowed such Delegates, among the several Towns and Parishes in this Government.

It was also voted not to suffer any Hawkers, Pedlars, or Petty-Chapmen to

(1) See this document in full in subsequent pages of this volume.—ED.

sell, or expose to sale among us any Goods, Wares or Merchandise. It is the opinion of many, that if this vote, with the law of the Province, should prove ineffectual to prevent the intrusion of such persons, an experiment ought to be made of Tar and Feathers.

Epsom (New Hampshire) Resolves.

[Copied from Am. Ar. 4 series, Vol. I., p. 1105.]

At a legal Meeting of the Inhabitants of the Town of Epsom, held on Monday the 9th day of January, 1775, Deputies were chosen to meet at Exeter on the 25th instant, agreeable to the letter sent to said Town for that purpose.

Whereas the Grand Continental Congress has recommended a Non-Importation and a Non-Consumption of Goods to be the most effectual method to ease our deplorable situation; and as we view the Scotch Merchants and Traders in general, to be no friends to our country, and are altogether for self-interest and lucrative gain, and to accomplish their designs have filled the country with Hawkers, Pedlars, and Petty-Chapmen, with their Lawns, Cambricks, Ribbons, &c., tempting women, girls, and boys with their unnecessary fineries, which is a moth to our country, and a damage to all honest Merchants and Traders that are true friends to our country, and that deal upon honour; — and to prevent all such diabolical proceedings for the future,

Resolved, That no Pedlars, Hawkers, or Petty-Chapmen shall be tolerated for the future, to sell or dispose of any Goods, of whatever name or nature soever, in said town, upon no less penalty than receiving a new suit agreeable to the modern mode, and a forfeiture of their Goods.

A Committee of Inspection was then chosen to see that the above Resolve is carefully executed.

Memorial of Capt. Titus Salter.

[Copied from MS. State Pap. Revn Vol. I., p. 1.]

1775, 18, Jan. } Memorandum for the consideration of the Honourable the Congress or house of Representatives.

Artillery Company not gone to New Castle.

Sundry People Inlisted into my Company from the Head Quarters not provided with arms as they was obliged to leave them there.

As the Artillery Company are provided with arms from the Magazine the greater part of them being provided with guns of their own think it but Reasonable my company shall have the same advantage.— To make Inquiry about the blankett money that some person may be appointed to pay it.

There is likewise a number of Guns at Fort Sullivan belonging to the Publick.

With respect to the Fire Rafts if in case it should be judged necessary & Stuff provided there can be more built at an Easier Lay than in the country by the company. As there is a number of Peices of Cannon scattered about in Town and Country I think it would be of service to have them collected together and Fixt up.—As you see by the Return of Ordinance Stores you'l find the number of shott to be very small.—As the boom has given way several times owing to the strength of the tide, was there a Cable of about 18 inches 60 Fathom Long one half at one End the other at the other End which would admit of Three Length of mast on each End to be taken off, which would naturally admit a Free passage for the tide, by which means I Believe the boom would answer the End Intended for — all which is Humbly submitted to your Honours Judgment.

TITUS SALTER.

Portsmouth, 18th Janry 1775.

No I.

NON-IMPORTATION ASSOCIATION, &c.

NOTE BY THE EDITOR.

In the proceedings of the Provincial Congress, of the Committee of Safety, and of the County Congresses, reference is frequently had to the "*Association*" proposed and adopted by the Continental Congress; and also to other proceedings, in which all the united Colonies were interested. Of these proceedings, the three following Papers, are regarded as of especial interest, and are recommended to the careful perusal of all who would clearly understand the "spirit of the times." These Papers are copied from *American Archives*, fourth series, Vol. I., pp. 913–938. In the same volume and connexion is found a "Declaration of Rights," and an "Address to the Inhabitants of the Province of Quebec," which may be referred to as important.

Continental Congress.

Thursday, October 20, 1774.

The Association being copied, was read and signed at the table, and is as follows:

We, his Majesty's most loyal subjects, the Delegates of the several Colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three Lower Counties of New Castle, Kent, and Sussex, on Deleware, Maryland, Virginia, North Carolina and South Carolina, deputed to represent them in a Continental Congress, held in the City of Philadelphia, on the fifth day of September, 1774, avowing our allegiance to his Majesty; our affection and regard for our fellow-subjects in Great Britain and elsewhere; affected with the deepest anxiety and most alarming apprehensions at those grievances and distresses with which his Majesty's American subjects are oppressed; and having taken under our most serious deliberation the state of the whole continent, find that the present unhappy situation of our affairs is occasioned by a ruinous system of Colony Administration adopted by the British Ministry about the year 1763, evidently calculated for enslaving these Colonies, and, with them the British Empire. In prosecution of which system, various acts of Parliament have been passed for raising a Revenue in America, for depriving the American subjects, in many instances, of the Constitutional Trial by Jury, exposing their lives to danger by directing a new and illegal trial beyond the seas for crimes alleged to have been committed in America; and in prosecution of the same system, several late, civil, and oppressive Acts have been passed respecting the Town of Boston and the Massachusetts Bay, and also an act for extending the Province of Quebec, so as to border on the Western Frontiers of these Colonies, establishing an arbitrary Government therein, and discouraging the settlement of British subjects in that wide extended country; thus by the influence of civil principles and ancient prejudices to dispose the inhabitants to act with hostility against the free Protestant Colonies, whenever a wicked ministry shall choose so to direct them.

To obtain redress of these Grievances, which threaten destruction to the Lives, Liberty, and Property of his Majesty's subjects in North America, we are of opinion that a Non-Importation, Non-Consumption, and Non-Expor-

tation Agreement, faithfully adhered to, will prove the most speedy, effectual and peaceable measure; and, therefore, we do, for ourselves, and the inhabitants of the several Colonies whom we represent, firmly agree and associate, under the sacred ties of Virtue, Honour, and love of our Country as follows:

1. That from and after the first day of December next, we will not import into British America from Great Britain or Ireland, any goods, wares, or merchandise, whatsoever, or from any other place, any such goods, wares, or merchandises as shall have been exported from Great Britain or Ireland; nor will we, after that day, import any East India Tea from any part of the World; nor any Molasses, Syrups, Paneles, Coffee, or Pimento, from the British Plantations or from Dominica; nor Wines from Madeira, or the Western Islands; nor Foreign Indigo.

2. That we will neither import nor purchase any Slave imported after the first day of December next; after which time we will wholly discontinue the Slave Trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our Commodities or Manufactures to those who are concerned in it.

3. As a Non-Consumption Agreement, strictly adhered to, will be an effectual security for the observation of the Non-Importation, we, as above, solemnly agree and associate, that from this day we will not purchase or use any Tea imported on account of the East India Company, or any on which a Duty hath been or shall be paid; and from and after the first day of March next we will not purchase or use any East India Tea whatsoever; nor will we, nor shall any person for or under us, purchase or use any of those goods, Wares, or Merchandises we have agreed not to import, which we shall know, or have cause to suspect, were imported after the first day of December, except such as come under the rules and directions of the tenth Article hereafter mentioned.

4. The earnest desire we have not to injure our fellow subjects in Great Britain, Ireland, or the West Indies, induces us to suspend a Non-Exportation until the tenth day of September, 1775, at which time, if the said Acts and parts of Acts of the British Parliament herein after mentioned, are not repealed, we will not, directly or individually, export any Merchandise or Commodity whatsoever to Great Britain, Ireland, or the West Indies, except Rice to Europe.

5. Such as are Merchants and use the British and Irish Trade, will give orders as soon as possible to their Factors, Agents, and Correspondents, in Great Britain and Ireland, not to ship any Goods to them, on any pretence whatsoever, as they cannot be received in America; and if any Merchant residing in Great Britain or Ireland, shall directly or indirectly ship any Goods, Wares, or Merchandises for America, in order to break the said Non-Importation Agreement, or in any manner contravene the same, on such unworthy conduct being well attested, it ought to be made publick; and on the same being so done, we will not from thenceforth have any commercial connection with such merchants.

6. That such as are Owners of vessels will give positive orders to their Captains, or Masters, not to receive on board their vessels any goods prohibited by the said Non-Importation Agreement, on pain of immediate dismission from their service.

7. We will use our utmost endeavors to improve the breed of Sheep, and increase their number to the greatest extent; and to that end, we will kill them as sparingly as may be, especially those of the most profitable kind; nor will we export any to the West Indies or elsewhere; and those of us who are or may become overstocked with, or can conveniently spare any Sheep, will dispose of them to our neighbors, especially to the poorer sort, upon moderate terms.

8. That we will, in our several stations, encourage Frugality, Economy and Industry, and promote Agriculture, Arts, and the Manufactures of this Country, especially that of Wool, and will discountenance and discourage every

species of extravagance and dissipation, especially all horse-racing, and all kinds of gaming, cock-fighting, exhibitions of plays, shows, and other expensive diversions and entertainments; and on the death of any relation, or friend, none of us, or any of our families, will go into any further mourning dress than a black crape or ribbon on the arm, or hat for gentlemen, and a black ribbon and necklace for ladies, and we will discontinue the giving of gloves and scarfs at funerals.

9. That such as are venders of Goods or Merchandise, will not take advantage of the scarcity of Goods that may be occasioned by this Association, but will sell the same at the rates we have been respectively accustomed to do for twelve months last past. And if any vender of Goods or Merchandises shall sell any such Goods on higher terms, or shall, in any manner, or by any device whatsoever, violate or depart from this Agreement, no person ought, nor will any of us deal with any such person, or his or her Factor or Agent, at any time thereafter for any commodity whatever.

10. In case any Merchant, Trader, or other person, shall import any goods or Merchandise, after the first day of December, and before the first day of February next, the same ought forthwith, at the election of the owner, to be re-shipped or delivered up to the Committee of the County or Town wherein they shall be imported, to be stored at the risk of the importer, until the Non-Importation Agreement shall cease, or be sold under the direction of the Committee aforesaid; and in the last mentioned case the owner or owners of such Goods shall be reimbursed out of the sales the first cost and charges; the profit, if any, to be applied towards relieving and employing such poor inhabitants of the Town of Boston as are immediate sufferers by the Boston Port Bill; and a particular account of all Goods so returned, stored, or sold, to be inserted in the publick papers; and if any Goods or Merchandises shall be imported after the said first day of February, the same ought forthwith to be sent back again, without breaking any of the packages thereof.

11. That a Committee be chosen in every County, City and Town, by those who are qualified to vote for Representatives in the Legislature, whose business it shall be attentively to observe the conduct of all persons touching this Association; and when it shall be made to appear to the satisfaction of a majority of any such Committee, that any person within the limits of their appointment has violated this Association, that such majority do forthwith cause the truth of the case to be published in the Gazette, to the end that all such foes to the rights of British America may be publickly known, and universally contemned as the enemies of American Liberty; and thenceforth we respectively will break off all dealings with him or her.

12. That the Committee of Correspondence, in the respective Colonies, do frequently inspect the Entries of their Custom Houses, and inform each other from time to time, of the true state thereof, and of every other material circumstance that may occur relative to this Association.

13. That all Manufactures of this country be sold at reasonable prices, so as no undue advantage be taken of a future scarcity of Goods.

14. And we do further agree and resolve that we will have no Trade, Commerce, Dealings, or Intercourse whatsoever with any Colony or Province in North America which shall not accede to, or which shall hereafter violate this Association, but will hold them as unworthy of the rights of Freemen, and as inimical to the liberties of this country. And we do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this Association until such parts of the several Acts of Parliament passed since the close of the last war, as impose or continue Duties on Tea, Wine, Molasses, Syrup, Paneles, Coffee, Sugar, Pimento, Indigo, Foreign Paper, Glass, and Painters' Colours, imported into America and extend the powers of the Admiralty Courts beyond their ancient limits, deprive the American subjects of Trial by Jury, authorize the Judges' certificate to indemnify the prosecutor for damages that he might otherwise be liable to from a trial by his peers, require oppressive security from a claimant of Ships of Goods siezed, before

he shall be allowed to defend his property, are repealed — and until that part of the Act of the 12th George III., ch. 24, entitled "An Act for the better securing his Majesty's Dock-yards, Magazines, Ships, Ammunition and Stores" by which any person charged with committing any of the offences therein described, in America, may be tried in any Shire or County within the Realm, is repealed — and until the four Acts, passed in the last session of Parliament, viz: that for stopping the Port and blocking up the Harbour of Boston, that for altering the Charter and Government of the Massachusetts Bay — and that which is entitled An Act for the better Administration of Justice, &c., and that for extending the limits of Quebec, &c., are repealed. And we recommend it to the Provincial Conventions, and to the Committees in the respective Colonies, to establish such farther Regulations as they may think proper for carrying into execution this Association.

The foregoing Association being determined upon by the Congress, was ordered to be subscribed by the several Members thereof; and thereupon, we have hereunto set our respective names accordingly.

In Congress, Philadelphia, October 20, 1774.

PEYTON RANDOLPH, President.

New Hampshire,	JOHN SULLIVAN, NATHANIEL FOLSOM,
Massachusetts Bay	THOMAS CUSHING, SAMUEL ADAMS, JOHN ADAMS, ROBERT TREAT PAINE,
Rhode Island,	STEPHEN HOPKINS, SAMUEL WARD,
Connecticut,	ELIPHALET DYER, ROGER SHERMAN, SILAS DEANE,
New York,	ISAAC LOW, JOHN ALSOP, JOHN JAY, JAMES DUANE, PHILIP LIVINGSTON, WILLIAM FLOYD, HENRY WISNER, SIMON BOERUM,
New Jersey,	JAMES KINSEY, WILLIAM LIVINGSTON, STEPHEN CRANE, RICHARD SMITH, JOHN DEHART,
Pennsylvania,	JOSEPH GALLOWAY, JOHN DICKINSON, CHARLES HUMPHREYS, THOMAS MIFFLIN, EDWARD BIDDLE, JOHN MORTON, GEORGE ROSS,
The Lower Counties New Castle &c.,	CÆSAR RODNEY, THOMAS M'KEAN, GEORGE READ,
Maryland,	MATTHEW TILGHMAN, THOMAS JOHNSON, JUNR. WILLIAM PACA, SAMUEL CHASE,

Virginia,	RICHARD HENRY LEE, GEORGE WASHINGTON, PATRICK HENRY, JUNR. RICHARD BLAND, BENJAMIN HARRISON, EDMUND PENDLETON,
North Carolina,	WILLIAM HOOPER, JOSEPH HEWES, RICHARD CASWELL,
South Carolina,	HENRY MIDDLETON, THOMAS LYNCH, CHRISTOPHER GADSDEN, JOHN RUTLEDGE, EDWARD RUTLEDGE.

Ordered That this Association be committed to the press, and that one hundred and twenty copies be struck off.

The Congress then resumed the consideration of the Address to the Inhabitants of these Colonies, and after debate thereon, adjourned till tomorrow.

No. II.

MEMORIAL TO THE COLONIES.

Continental Congress.

The Congress then resumed the consideration of the Memorial to the Inhabitants of the British Colonies, and the same being debated by paragraphs, was approved, and is as follows:

To the Inhabitants of the Colonies of New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the Counties of New-Castle, Kent, and Sussex, on Delaware, Maryland, Virginia, North Carolina, and South Carolina:

FRIENDS and COUNTRYMEN: We, the delegates appointed by the good people of these Colonies to meet at Philadelphia in September last, for the purpose mentioned by our respective Constituents, have, in pursuance of the trust reposed in us, assembled and taken into our most serious consideration the important matters recommended to the Congress. Our Resolutions thereupon will be herewith communicated to you. But, as the situation of publick affairs grows daily more and more alarming; and, as it may be more satisfactory to you to be informed by us in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and free discussion, by the Representatives of so great a part of America, we esteem ourselves obliged to add this Address to these Resolutions. In every case of opposition by a People to their Rulers, or of one State to another, duty to Almighty God, the creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition, and of the causes by which it has been provoked, or can in any degree be justified, that neither affection on the one hand, nor resentment on the other, being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all circumstances, and to settle the publick conduct on the solid foundations of Wisdom and Justice.

From Councils thus tempered, arise the surest hopes of the Divine favour; the firmest encouragement to the parties engaged, and the strongest recommendation of their cause to the rest of mankind.

With minds deeply impressed by a sense of these truths, we have diligently, deliberately, and calmly inquired into and considered those exertions, both of the Legislative and Executive power of Great Britain, which have excited so much uneasiness in America, and have, with equal fidelity, and attention, considered the conduct of the Colonies.

Upon the whole, we find ourselves reduced to the disagreeable alternative of being silent and betraying the innocent, or of speaking out and censuring those we wish to revere.

In making our choice of these distressing difficulties, we prefer the course dictated by honesty, and a regard for the welfare of our country. Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these Colonies. By a statute made in the fourth year of the present Reign, a time of profound peace, alleging "the expediency of new provisions and regulations for extending the Commerce between Great Britain and his Majesty's Dominions in America, and the necessity of raising a Revenue in the said Dominions, for defraying the expenses of defending, protecting, and securing the same," the Commons of Great Britain undertook to give and grant to his Majesty many rates and Duties, to be paid in these Colonies. To enforce the observance of this Act, it prescribes a great number of severe penalties and forfeitures and in two sections, makes a remarkable distinction between the subjects in Great Britain and those in America. By the one, the penalties and forfeitures incurred there, are to be recovered in any of the King's Courts of Record, at Westminster, or in the Court of Exchequer, in Scotland; and by the other, the penalties and forfeitures incurred here are to be recovered in any Court of Record, or in any Court of Admiralty or Vice Admiralty, at the election of the informer or prosecutor.

The inhabitants of these Colonies, confiding in the justice of Great Britain, were scarcely allowed sufficient time to receive and consider this Act, before another, well known by the name of the Stamp Act, and passed in the fifth year of this Reign, engrossed their whole attention. By this Statute, the British Parliament exercised, in the most explicit manner a power of taxing us, and extending the jurisdiction of Courts of Admiralty and Vice Admiralty in the Colonies, to matters arising within the body of a County, and directed the numerous penalties and forfeiture thereby inflicted, to be recovered in the said courts. In the same year a Tax was imposed upon us, by an act establishing several new Fees in the Customs. In the next year the Stamp Act was repealed; not because it was founded in an erroneous principle, but as the Repealing Act recites, because "the continuance thereof would be attended with many inconveniences, and might be productive of consequences greatly detrimental to the commercial interest of Great Britain." In the same year, and by a subsequent Act, it was declared "that his Majesty, in Parliament, of right, had power to bind the people of these Colonies by Statutes in all cases whatsoever."

In the same year another Act was passed for imposing Rates and Duties payable in these Colonies. In this Statute the Commons, avoiding the terms of giving and granting, "humbly besought his majesty that it might be enacted" &c. But from a declaration in the preamble that the Rates and Duties were "in liew of" several others granted by the Statutes first before mentioned, for raising a Revenue, and from some other expressions, it appears that these Duties were intended for that purpose.

In the next year (1767) an Act was made "to enable his Majesty to put the Customs and other Duties in America, under the management of Commissioners," &c. And the King, thereupon, ended the present expensive Board of Commissioners, for the express purpose of carrying into execution the several Acts relating to the Revenue and Trade in America.

After the repeal of the Stamp Act, having again resigned ourselves to our

ancient and unsuspicious affections for the parent State, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures toward us, we did not press our objections against the abovementioned Statutes, made subsequent to that repeal; Administration, attributing to trifling causes, a conduct that really proceeded from generous motives, were encouraged in the same year (1767) to make a bolder experiment on the patience of America.

By a Statute, commonly called the Glass, Paper and Tea Act, made fifteen months after the repeal of the Stamp Act, the Commons of Great Britain resumed their former language, and again undertook to "give and grant Rates and Duties to be paid in the Colonies for the express purpose of raising a Revenue to defray the charges of the Administration of Justice, the support of Civil Government, and defending the King's Dominions" on this Continent. The penalties and forfeitures incurred under this Statute are to be recovered in the same manner with those mentioned in the foregoing Acts.

To this Statute, so naturally tending to disturb the tranquility, then universal throughout the Colonies, Parliament, in the same season, added another no less extraordinary.

Ever since the making the present peace, a standing Army has been kept in their Colonies. From respect to the mother country, the innovation was not only tolerated, but the Provincial Legislatures generally made provision for supplying the Troops. The Assembly of the Province of New York having passed an act of this kind, but differing in some articles from the directions of the Act of Parliament, made in the fifth year of this reign, the house of Representatives in that Colony was prohibited by a Statute made in the last session mentioned, from making any Bill, Order, Resolution, or vote, except for adjourning or chusing a Speaker, until provision should be made by the said Assembly for furnishing the Troops within that Province, not only with all necessaries as was required by the Statutes, which they were charged with disobeying, but also with those required by two other subsequent Statutes which were declared to be in force until the 24th day of March, 1769.

These Statutes of the year 1767, revived the apprehensions and discontents that had entirely subsided on the repeal of the Stamp Act; and amidst the just fears and jealousies thereby occasioned, a Statute was made in the next year (1768) to establish Courts of Admiralty and Vice Admiralty, on a new model, expressly for the end of more effectually recovering of the penalties and forfeitures inflicted by Acts of Parliament, framed for the purpose of raising a Revenue in America, &c.

The immediate tendency of these Statutes is to subvert the right of having a share in the Legislation, by rendering Assemblies useless; the right of Property by taking the money of the Colonists without their consent; the right of Trial by Jury, by substituting in their place trials in Admiralty and Vice Admiralty Courts, where single Judges preside, holding their commissions during pleasure; and unduly to influence the Courts of Common Law, by rendering the Judges thereof totally dependent on the Crown for their salaries.

These Statutes not to mention many others exceedingly exceptionable compared one with another, will be found, not only to form a regular system in which every part has great force, but also a pertinacious adherence to that system for subjugating these Colonies, that are not, and from local circumstances, cannot be represented in the House of Commons, to the uncontrollable and unlimited power of Parliament, in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

This conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has been by any behaviour of these Colonies. From their first settlement, their bitterest enemies never fixed on any of them a charge of disloyalty to their Sovereign, or disaffection to their Mother Country. In the wars she has carried on, they have exerted themselves whenever required, in giving her assistance: and have rendered her services

which she has publickly acknowledged to be extremely important. Their fidelity, duty, and usefulness, during the late war, were frequently and affectionately confessed by his late Majesty and the present King.

The reproaches of those who are most unfriendly to the freedom of America, are principally levelled against the Province of Massachusetts Bay; but with what little reason will appear by the following declaration of a person, the truth of whose evidence in their favour will not be questioned. Governour Bernard thus addresses the two Houses of Assembly in his speech on the 24th of April, 1762, — "The unanimity and despatch with which you "have complied with the requisitions of his Majesty, require my particular "acknowlegment; and it gives me additional pleasure to observe, that you "have therein acted under no other influence than a due sense of your duty, "both as members of a General Empire, and as the body of a particular "Province." In another Speech, on the 27th of May, in the same year, he says, "Whatever shall be the event of the War, it must be no small satisfac- "tion to us that this Province hath contributed its full share to the support "of it. Everything that hath been required of it hath been complied with; "and the execution of the powers committed to me, for raising the Provincial "Troops, hath been as full and complete as the grant of them. Never before "were Regiments so easily levied, so well composed, and so early in the field, "as they have been this year; the common people seemed to be animated "with the spirit of the General Court, and to vie with them in their readi- "ness to serve the King."

Such was the conduct of the people of the Massachusetts Bay during the last war. As to their behaviour before that period, it ought not to have been forgot in Great Britain, that not only on every occasion they had constantly and cheerfully complied with the frequent Royal Requisitions; but that chiefly by their vigorous efforts, Nova Scotia was subdued in 1710, and Louisbourg in 1745.

Foreign quarrels being ended, and the domestick disturbances that quickly succeeded on account of the Stamp Act being quieted by its repeal, the Assembly of Massachusetts Bay transmitted an humble address of Thanks to the King and divers Noblemen, and soon after passed a Bill for granting compensation to the sufferers in the disorder occasioned by that Act.

These circumstances, and the following Extracts from Governour Bernard's Letters in 1768, to the Earl of Shelburne, Secretary of State, clearly show with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discords, and with what respectful deference they endeavoured to escape other subjects of future controversy. "The House, "says the Governour, from the time of opening the session to this day, has "shown a disposition to avoid all dispute with me; everything having "passed with as much good humour as I could desire, except only their "continuing to act in addressing the King, remonstrating to the Secretary of "State, and employing a separate Agent. It is the importance of this inno- "vation, without any wilfulness of my own, which induces me to make this "Remonstrance at a time when I have a fair prospect of having in all other "business nothing but good to say of the proceedings of the House.(1)"

"They have acted in all things, even in their Remonstrance, with temper "and moderation; they have avoided some subjects of dispute, and have laid "a foundation for removing some causes of former allucation." (2)

"I shall make such a prudent and proper use of this Letter, as, I hope, "will perfectly restore the peace and tranquility of this Province, for which, "purpose considerable steps have been made by the House of Representa- "tives." (3)

The vindication of the Province of Massachusetts Bay, contained in these

(1) January 21, 1768.
(2) January 30, 1768.
(3) February 2, 1768.

Letters, will have greater force, if it be considered that they were written several months after the fresh alarm given to the Colonies by the Statutes passed in the preceding year.

In this place it seems proper to take notice of the insinuation of one of those Statutes, that the interference of Parliament was necessary for "defraying the charge of the Administration of Justice; the support of Civil Government; and defending the King's Dominions in America."

As to the two first articles of expense, every Colony had made such provision as by their respective Assemblies the best judges on such occasions, was thought expedient, and suitable to their several circumstances; respecting the last, it is well known to all men, the least acquainted with American affairs, that the Colonies were established, and generally defended themselves without the least assistance from Great Britain; and that, at the time of her taxing them, by the Statute before mentioned, most of them were labouring under very heavy debts contracted in the last war. So far were they from sparing their money when their Sovereign constitutionally asked their aids, that during the course of the war, Parliament repeatedly made them compensations for the expenses of those strenuous efforts, which, consulting their zeal rather than their strength, they had cheerfully incurred.

Severe as the Acts of Parliament before mentioned are, yet the conduct of Administration hath been equally injurious and irritating to this devoted country.

Under pretence of governing them, so many new institutions, uniformly rigid and dangerous, have been introduced as could only be expected from incensed masters, for collecting the tribute, or rather the plunder of conquered Provinces.

By an order of the King, the authority of the Commander-in-chief and under him, of the Brigadier Generals, in time of peace, is rendered supreme in all the Civil Governments in America; and thus, an uncontrollable military power is vested in officers not known to the Constitution of these Colonies.

A large body of Troops, and a considerable armament of Ships of War have been sent to assist in taking their money without their consent. Expensive and oppressive officers have been multiplied, and the acts of corruption industriously practised to divide and destroy.

The Judges of the Admiralty and Vice Admiralty Courts are empowered to receive their salaries and fees from the effects to be condemned by themselves. The Commissioners of the Customs are empowered to break open and enter houses without the authority of any Civil Magistrate, founded on legal information. Judges of Courts of Common Law have been made entirely dependent on the Crown for their commissions and salaries.

A court has been established at Rhode Island, for the purpose of taking Colonists to England to be tried.

Humble and reasonable Petitions from the Representatives of the people have been frequently treated with contempt; and Assemblies have been repeatedly and arbitrarily dissolved. From some few instances, it will sufficiently appear, on what pretences of Justice those dissolutions have been founded.

The tranquility of the Colonies have been again disturbed, as has been mentioned by the Statutes of the year 1767. The Earl of Hillsborough, Secretary of State, in a Letter to Governour Bernard, dated April 22, 1768, censures the "presumption" of the House of Representatives for "resolving "upon a measure of so inflammatory a nature as that of writing to the other "Colonies on the subject of their intended representations against some late "acts of Parliamant," then declares that his "Majesty considers this step as "evidently tending to create unwarrantable combinations, to excite an unjus-"tifiable opposition to the constitutional authority of Parliament," — and "afterwards adds, "it is the King's pleasure that as soon as the General "Court is again assembled at the time prescribed by the Charter, you should

"require of the House of Representatives in his Majesty's name, to rescind "the Resolution which gave birth to the Circular Letter from the Speaker, "and to declare their disapprobation of, and dissent to that rash and hasty "proceeding."

"If the new Assembly should refuse to comply with his Majesty's reason- "able expectation, it is the King's pleasure that you should immediately dis- "solve them."

This Letter being laid before the House, and the Resolution not being rescinded, according to order, the Assembly was dissolved. A Letter of a similar nature was sent to other Governours to procure resolutions, approving the conduct of the Representatives of Massachusetts Bay, to be rescinded also; and the Houses of Representatives in other Colonies refusing to comply, Assemblies were dissolved. These mandates spoke a language to which the ears of English subjects had for several generations been strangers. The nature of Assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the Requisitions made, left to the Assemblies only the election between dictated submission and threatened punishment; a punishment too, founded on no other act than such as is deemed innocent in Slaves, — of agreeing in Petitions for redress of grievances that equally affect all.

The hostile and unjustifiable invasion of the Town of Boston, soon followed these events in the same year; through that Town, the Province in which it is situated, and all the Colonies from abhorrence of a contest with their parent state, permitted the execution even of those Statutes against which they so unanimously were complaining, remonstrating and supplicating. Administration, determined to subdue a spirit of freedom which English Ministers should have rejoiced to cherish, entered into a monopolizing combination with the East India Company, to send to this Continent vast quantities of Tea, an article on which a Duty was laid by a Statute that in a particular manner attacked the liberties of America, and which therefore the inhabitants of these Colonies had resolved not to import. The Cargo sent to South Carolina was stored, and not allowed to be sold. Those sent to Philadelphia and New York were not permitted to be landed. That sent to Boston was destroyed, because Governour Hutchinson would not suffer it to be returned. On the intelligence of these transactions arriving in Great Britain, the publick spirited Town last mentioned, was singled out for destruction, and it was determined the Province it belongs to should partake of its fate. In the last session of Parliament, therefore, were passed the Acts for shutting up the Port of Boston, indemnifying the murderers of the inhabitants of Massachusetts Bay, and changing their chartered Constitution of Government. To enforce these Acts, that Province is again invaded by a Fleet and Army. To mention these outrageous proceedings, is sufficient to explain them. For though it is pretended that the Province of Massachusetts Bay has been particularly disrespectful to Great Britain, yet, in truth, the behaviour of the people in other Colonies has been an equal "opposition to the power assumed by Parliament." No step, however, has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the Province of Massachusetts Bay will be irritated into some violent action that may displease the rest of the Continent, or that may induce the people of Great Britain to approve the meditated vengeance of an imprudent and exasperated Ministry. If the unexampled pacifick temper of that Province shall disappoint this part of the plan, it is hoped the other Colonies will be so far intimidated as to desert their brethren suffering in a common cause; and that thus disunited, all may be subdued.

To promote these designs, another measure has been pursued. In the session of Parliament last mentioned, an Act was passed for changing the Government of Quebec, by which Act the Roman Catholick Religion, instead of being tolerated, as stipulated by the Treaty of Peace, is established; and the people there are deprived of a right to an Assembly; Trials by Jury, and the English Laws in civil cases, are abolished, and instead thereof the French Laws are established, in direct violation of his Majesty's promise by his

Royal Proclamation, under the faith of which many English Subjects settled in that Province, and the limits of that Province are extended so as to comprehend those vast regions that lie adjoining to the Northerly and Westerly boundaries of these Colonies.

The authors of this arbitrary arrangement flatter themselves that the inhabitants, deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such as differ from them in modes of Government and faith.

From the details of facts herein before recited, as well as from authentick intelligence received, it is clear beyond a doubt that a resolution is formed and now carrying into execution, to extinguish the freedom of these Colonies by subjecting them to a despotic Government.

At this unhappy period we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence, but have endeavoured to discharge it with integrity. Though the state of these Colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place it appeared to us a conduct becoming the character these Colonies have sustained, to perform even in the midst of the unnatural distresses and imminent dangers that surround them, every act of loyalty, and therefore were induced once more to offer to his Majesty the Petitions of his faithful and oppressed subjects in America. Secondly, regarding with the tender affection which we knew to be so universal among our countrymen, the people of the Kingdom, from which we derive our origin, we could not forbear to regulate our steps by an expectation of receiving full conviction that the Colonists are equally dear to them. Between these Provinces and that body subsists the social band, which we ardently wish may never be dissolved, and which cannot be dissolved until their minds shall become indisputably hostile, or their inattention shall permit those who are thus hostile to persist in prosecuting, with the powers of the Realm, the destructive measures already operating against the Colonists, and, in either case, shall reduce the latter to such a situation that they shall be compelled to renounce every regard but that of self-preservation. Notwithstanding the violence with which affairs have been impelled they have not yet reached that fatal point. We do not incline to accelerate their motion, already alarmingly rapid; we have chosen a method of opposition that does not preclude a hearty reconciliation with our fellow-citizens on the other side of the Atlantic. We deeply deplore the urgent necessity that presses us to an immediate interruption of commerce that may prove injurious to them. We trust they will acquit us of any unkind intentions toward them by reflecting that we are driven by the hands of violence into unexperienced and unexpected convulsions, and that we are contending for freedom, so often contended for by our Ancestors.

The people of England will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence; and cannot, upon a review of past events, be persuaded that they, the defenders of true religion, and the asserters of the rights of mankind, will take part against their affectionate Protestant brethren in the Colonies in favour of our open and their own secret enemies, whose intrigues for several years past have been wholly exercised in sapping the foundations of Civil and Religious Liberty. Another reason that engaged us to prefer the commercial mode of opposition, arose from an assurance that the mode will prove efficacious, if it be persisted in with fidelity and virtue; and that your conduct will be influenced by these laudable principles, cannot be questioned. Your own salvation, and that of your posterity, now depends upon yourselves. You have already shown that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of Trade, you will weigh in the opposite balance the endless miseries you and your descendants must endure from an established arbitrary power. You will not forget the honour

of your country, that must, from your behaviour, take its title in the estimation of the world, to glory or to shame; and you will with the deepest attention reflect, that if the peaceable mode of opposition recommended by us, be broken and rendered ineffectual, as your Cruel and haughty Ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to choose either a more dangerous contest, or a final, ruinous, and infamous submission.

Motives thus cogent arising from the emergency of your unhappy condition, must excite your utmost diligence and zeal to give all possible strength and energy to the pacifick measures calculated for your relief: But we think ourselves bound in duty to observe to you, that these schemes agitated against the Colonies have been so conducted as to render it prudent that you should extend your views to mournful events, and be in all respects prepared for every contingency. Above all things, we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves and implore the favour of Almighty God; and we fervently beseech his Divine goodness to take you into his gracious protection.

No. III.

ADDRESS TO THE KING.

Continental Congress.

The Address to the King being engrossed and compared, was signed at the table by all the Members.

To the King's Most Excellent Majesty:

Most Gracious Sovereign: We, your Majesty's faithful subjects of the Colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, the Counties of New Castle, Kent, and Sussex, on Deleware, Maryland, Virginia, North Carolina, and South Carolina, in behalf of ourselves and the inhabitants of those Colonies who have deputed us to represent them in General Congress, by this our humble Petition, beg leave to lay our Grievances before the Throne.

A Standing Army has been kept in these Colonies ever since the conclusion of the late war, without the consent of our Assemblies; and this Army, with a considerable Naval Armament, has been employed to enforce the collection of Taxes.

The authority of the Commander-in-Chief, and under him of the Brigadiers Generals has, in time of peace, been rendered supreme in all the Civil Governments in America.

The Commander-in-Chief of all your Majesty's Forces in North America, has, in time of peace, been appointed Governour of a Colony.

The charges of usual offices have been greatly increased, and new, expensive, and oppressive offices have been multiplied.

The Judges of Admiralty and Vice Admiralty Courts are empowered to receive their salaries and fees from the effects condemned by themselves.

The officers of the Customs are empowered to break open and enter houses, without the authority of any Civil Magistrate, founded on legal information.

The Judges of Courts of Common Law have been made entirely dependent on one part of the Legislature for their salaries, as well as for the duration of

their commissions, Councillors holding their commissions during pleasure exercise Legislative authority.

Humble and reasonable Petitions from the Representatives of the People have been fruitless.

The Agents of the People have been discountenanced, and Governours have been instructed to prevent the payment of their salaries.

Assemblies have been repeatedly and injuriously dissolved, Commerce has been burthened with many useless and oppressive restrictions.

By several Acts of Parliament, made in the fourth, fifth, sixth, seventh and eighth years of your Majesty's Reign, Duties are imposed on us for the purpose of raising a Revenue, and the powers of Admiralty and Vice Admiralty Courts are extended beyond their ancient limits, whereby our property is taken from us without our consent; the trial by jury, in many civil cases, is abolished; enormous forfeitures are incurred for slight offences; vexatious informers are exempted from paying damages, to which they are justly liable, and oppressive security is required from owners before they are allowed to defend their right.

Both Houses of Parliament have resolved, that Colonists may be tried in England for offences alleged to have been committed in America, by virtue of a Statute, passed in the thirty-fifth year of Henry the Eighth, and, in consequence thereof, attempts have been made to enforce that Statute.

A Statute was passed in the twelfth year of your Majesty's Reign, directing that persons charged with committing any offence therein described, in any place out of the Realm, may be indicted and tried for the same in any Shire or County within the Realm, whereby the inhabitants of these Colonies may, in sundry cases, by that Statute made Capital, be deprived of a trial by their peers of the vicinage.

In the last sessions of Parliament an Act was passed for blocking up the Harbour of Boston, another empowering the Governor of the Massachusetts Bay to send persons indicted for murder in that Province, to another Colony, or even to Great Britain, for trials, whereby such offenders may escape legal punishment; a third for altering the chartered Constitution of Government in that Province; and a fourth for extending the limits of Quebec, abolishing the English and restoring the French laws, whereby great numbers of British Freemen are subjected to the latter, and establishing an absolute Government and the Roman Catholic Religion throughout those vast regions that border on the Westerly and Northerly boundaries of the free Protestant English settlements; and a fifth for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in North America. To a Sovereign, who glories in the name of a Briton, the bare recital of these Acts must, we presume, justify the loyal subjects, who fly to the foot of his Throne, and implore his clemency for protection against them. From this destructive system of Colony Administration, adopted since the conclusion of the last war, have flowed these distresses, dangers, fears and jealousies, that overwhelm your Majesty's dutiful Colonists with affliction; and we defy our most subtle and inveterate enemies to trace the unhappy difference between Great Britain and these Colonies, from the earlier period, or from other causes than we have assigned. Had they proceeded on our part from a restless levity of temper, unjust impulses of ambition, or artful suggestions of seditious persons, we should merit the approbrious terms frequently bestowed upon us by those we revere. But so far from promoting innovations, we have only opposed them; and can be charged with no offence, unless it be one to receive injuries and be sensible of them.

Had our Creator been pleased to give us existence in a land of slavery, the sense of our condition might have been mitigated by ignorance and habit. But thanks be to his adorable goodness, we were born the heirs of freedom, and ever enjoyed our right under the auspices of your Royal ancestors, whose family was seated on the British Throne to rescue and secure a pious and gallant Nation from the Popery and despotism of a superstitious and inexo-

rable tyrant. Your Majesty, we are confident, justly rejoices that your title to the Crown is thus founded on the title of your people to liberty; and therefore we doubt not but that your Royal wisdom must approve the sensibility that teaches your subjects anxiously to guard the blessing they received from Divine Providence, and thereby to prove the performance of that compact which elevated the illustrious House of Brunswick to the imperial dignity it now possesses.

The apprehension of being degraded into a state of servitude, from the pre-eminent rank of English Freemen, while our minds retain the strongest love of liberty, and clearly foresee the miseries preparing for us and our posterity, excites emotions in our breasts, which, though we cannot describe, we should not wish to conceal. Feeling as men, and thinking as subjects, in the manner we do, silence would be disloyalty. By giving this faithful information, we do all in our power to promote the great objects of your Royal cares, the tranquility of your Government, and the welfare of your people.

Duty to your Majesty, and regard for the preservation of ourselves and our posterity, the primary obligations of nature and of society, command us to entreat your Royal attention; and, as your Majesty enjoys the signal distinction of reigning over freemen, we apprehend the language of freemen cannot be displeasing. Your Royal indignation, we hope, will rather fall on those designing and dangerous men, who daringly interposing themselves between your Royal person and your faithful subjects, and for several years past incessantly employed to dissolve the bonds of society by abusing your Majesty's authority, misrepresenting your American subjects, and prosecuting the most desperate and irritating projects of oppression, have at length compelled us, by the force of accumulated injuries, too severe to be any longer tolerable, to disturb your Majesty's repose by our complaint.

These sentiments are extorted from hearts that much more willingly would bleed in your Majesty's service, yet, so greatly have we been misrepresented, that a necessity has been alleged of taking our property from us without our consent, "to defray the charge of administration of Justice, the support of "Civil Government, and the defence, protection, and security of the Colo-"nies." But we beg leave to assure your Majesty that such provision has been and will be made for defraying the two first articles, as has been and shall be judged by the Legislature of the several Colonies just and suitable to their respective circumstances; and, for the defence, protection and security of the Colonies, their Militias, if properly regulated, as they earnestly desire may immediately be done, would be fully sufficient, at least in times of peace; and, in case of war, your faithful Colonies will be ready and willing, as they ever have been, when constitutionally required, to demonstrate their loyalty to your Majesty, by exciting our most strenuous efforts in granting supplies and raising forces. (1)

Yielding to no British subjects in affectionate attachment to your Majesty's person, family and Government, we too dearly prize the privilege of expressing that attachment by those proofs that are honorable to the Prince who receives them, and to the People who give them, ever to resign it to any body of men upon earth. Had we been permitted to enjoy, in quiet, the inheritance left us by our forefathers, we should, at this time, have been peacefully, cheerfully, and usefully employed in recommending ourselves, by every testimony of devotion, to your Majesty, and of veneration to the State, from which we derive our origin. But though now exposed to unexpected and unnatural scenes of distress by a contention with that Nation in whose parental guidance on all important affairs, we have hitherto, with filial reverence, constantly trusted, and therefore can derive no instruction in our present unhappy and perplexing circumstances from any former experience; yet

(1) An Estimate of the number of souls in the following Provinces, made in Congress, September, 1774. In Massachusetts 400,000; New Hampshire 150,000; Rhode Island 59,678; Connecticut 192,000; New York 250,000; New Jersey 130,000; Pennsylvania, including the Lower Counties, 350,000; Maryland 320,000; Virginia 650,000; North Carolina 300,000; South Carolina, 225,000. Total 3,026,678.

we doubt not, the purity of our intention, and the integrity of our conduct, will justify us at that grand tribunal before which all mankind must submit to judgment. We ask but for Peace, Liberty, and Safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favour. Your Royal authority over us, and our connection with Great Britain, we shall always carefully and zealously endeavor to support and maintain.

Filled with sentiments of duty to your Majesty, and of affection to our parent state, deeply impressed by our education, and strongly confirmed by our reason, and anxious to evince the sincerity of these dispositions, we present this Petition only to obtain redress of Grievances, and relief from fears and jealousies, occasioned by the system of Statutes and Regulations adopted since the close of the late war, for raising a Revenue in America — extending the powers of Courts of Admiralty and Vice Admiralty — trying persons in Great Britain for offences alleged to be committed in America — affecting the Province of Massachusetts Bay — and altering the Government and extending the limits of Quebec; by the abolition of which system the harmony between Great Britain and these Colonies, so necessary to the happiness of both, and so ardently desired by the latter, and the usual intercourse will be immediately restored. In the magnanimity and justice of your Majesty and Parliament, we confide for a redress of our other grievances, trusting, that, when the causes of our apprehension are removed, our future conduct will prove us not unworthy of the regard we have been accustomed in our happier days to enjoy. For, appealing to that Being who searches thoroughly the hearts of his creatures, we solemnly profess, that our Councils have been influenced by no other motive than a dread of impending destruction.

Permit us, then, Most gracious Sovereign, in the name of all your faithful people in America, with the utmost humility, to implore you, for the honour of Almighty God, whose pure religion our enemies are undermining; for your glory, which can be advanced only by rendering your subjects happy, and keeping them united; for the interests of your family depending on an adherence to the principles that enthroned it; for the safety and welfare of your Kingdoms and Dominions, threatened with almost unavoidable dangers and distresses, that your Majesty, as the loving Father of your whole People, connected by the same bands of Law, Loyalty, Faith and Blood, though dwelling in various countries, will not suffer the transcendent relation formed by these ties to be farther violated, in uncertain expectation of effects, that, if attained, never can compensate for the calamities through which they must be gained.

We, therefore, most earnestly beseech your Majesty that your Royal authority and interposition may be used for our relief, and that a gracious Answer May be given to this Petition.

That your Majesty may enjoy every felicity through a long and glorious Reign, over loyal and happy subjects, and that your descendants may inherit your prosperity and Dominions till time shall be no more, is, and always will be, our sincere and fervent prayer.

HENRY MIDDLETON, *President.*

New Hampshire,	JOHN SULLIVAN, NATHANIEL FOLSOM,
Massachusetts Bay	THOMAS CUSHING, SAMUEL ADAMS, JOHN ADAMS, ROBERT TREAT PAINE,
Rhode Island,	STEPHEN HOPKINS, SAMUEL WARD,
Connecticut,	ELIPHALET DYER, ROGER SHERMAN, SILAS DEANE,

New York.	PHILIP LIVINGSTON, JOHN ALSOP, ISAAC LOW, JAMES DUANE, JOHN JAY, WILLIAM FLOYD, HENRY WISNER, SIMON BOERUM,
New Jersey,	WILLIAM LIVINGSTON, JOHN DEHART, STEPHEN CRANE, RICHARD SMITH,
Pennsylvania,	EDWARD BIDDLE, JOSEPH GALLOWAY, JOHN DICKINSON, JOHN MORTON, THOMAS MIFFLIN, GEORGE ROSS, CHARLES HUMPHREYS,
Delaware Government,	CÆSAR RODNEY, THOMAS M'KEAN, GEORGE READ,
Maryland.	MATTHEW TILGHMAN, THOMAS JOHNSON, JUNR. WILLIAM PACA, SAMUEL CHASE,
Virginia,	RICHARD HENRY LEE, PATRICK HENRY, GEORGE WASHINGTON, EDMUND PENDLETON, RICHARD BLAND, BENJAMIN HARRISON,
North Carolina.	WILLIAM HOOPER, JOSEPH HEWES, RICHARD CASWELL,
South Carolina,	THOMAS LYNCH, CHRISTOPHER GADSDEN, JOHN RUTLEDGE, EDWARD RUTLEDGE.

MEMORANDUM.

Agents to whom the Address of the King is to be sent:

For New Hampshire, PAUL WENTWORTH, Esq., &c.

SECOND PROVINCIAL CONGRESS.

NOTE BY THE EDITOR.

A Convention of Deputies from the several Towns in the Province, was held at Exeter January 25th, 1775, but the Editor has not succeeded in finding a *Journal* of their proceedings in full, nor the names of the Deputies in attendance. The account which follows, with the Address, is copied from *Am. Arch.* 4 Ser., Vol. I., pp. 1179–82.

Province of New Hampshire.

At the Convention of Deputies, appointed by the several Towns in the Province aforesaid, held at Exeter on the 25th day of January, 1775: present one hundred and forty-four Members.

Hon. John Wentworth, Esquire, President.

Voted unanimously, That we heartily approve of the proceedings of the late Grand Continental Congress, respecting the just state of the Rights and Liberties of the British Colonies, and of the means recommended to restore, secure, and protect the same; and that we return our most unfeigned thanks to the late Members of that Congress in General, and to those of this Province in particular, for the faithful discharge of the important trust reposed in them.

Voted, That John Sullivan and John Langdon, Esqs., be Delegates to represent this Province in the Continental Congress, proposed to be held at Philadelphia, on the 10th day of May next; and that they, and each of them in the absence of the other, have full and ample power, in behalf of this Province, to consent and agree to all measures which said Congress shall deem necessary to obtain redress of American Grievances.

Voted, That two hundred and fifty pounds, lawful money, be raised, for defraying the expenses of said Delegates.

Voted, That the Honourable John Wentworth, Esquire, Colonel Nathaniel Folsom, Honourable Meshech Weare, Esquire, Colonel Josiah Bartlet, Colonel Christopher Toppan, Ebenezer Thompson, and William Whipple, Esquires, be a Committee in behalf of this Province, to call a Provincial Convention of Deputies, when they shall judge the exigencies of publick affairs require it; and that they, together with Samuel Cutts and John Pickering, Esquires, be a Committee of Correspondence for this Province.

Voted, The following Address.

To the Inhabitants of the Province of New Hampshire.

Brethren: When we consider the unhappy condition to which you and your American brethren are reduced; when we reflect that for near ten months past you have been deprived of any share in your own Government, and of those advantages which flow to society from Legislative Assemblies; when we view the lowering clouds, charged with ministerial vengeance, fast spreading over this extensive Continent, ready to burst on the heads of its inhabitants, and to involve the whole British Empire in one common ruin, at this alarming juncture, duty to Almighty God, to our country, ourselves, and posterity, loudly demands our most strenuous exertions to avoid the impending danger.

Such are the measures adopted by the British Ministry for enslaving you, and with such incessant vigilance has their plan been prosecuted, that Tyranny already begins to waive its banners in your borders, and to threaten these once happy regions with infamous and detestable slavery.

Shall we, knowing the value of freedom, and nursed in the arms of Liberty, make a base and ignominious surrender of our rights, thereby consigning succeeding generations to a condition of wretchedness, from which, perhaps, all human efforts will be insufficient to extricate them?

Duty to ourselves, and regard for our country, should induce us to defend our liberties, and to transmit the fair inheritance unimpaired to posterity.

Should our restless enemies drive us to arms in defence of everything we hold dear, we should be reduced to a state, dreadful even in contemplation; for, should we prove victorious, the blood of our brethren shed in the unhappy contest, would cause the laurels to wither on our brows, and make the conquerors mourn with the vanquished. But should our enemies be successful, they will thereby rivet the chains of slavery upon us and our posterity.

Thus surrounded with dangers and distresses on every side, it behoves us to adopt and pursue such peaceable measures, as, under God, will be most likely to prevent those dreadful calamities with which we are threatened.

Fully sensible that to point out, with any degree of certainty, the methods by which you may shun the threatening evils, would require more than human wisdom, we can only recommend such measures as appear to us most likely to answer that desirable end, and best calculated to restore to you that peace and harmony so ardently wished for by every good and honest American. We therefore earnestly recommend,

1st. That you discountenance and discourage all trespasses and injuries against individuals and their property, and all disorders of every kind; and that you cultivate and maintain peace and harmony among yourselves.

2d. That you yield due obedience to the Magistrates within this Government, and carefully endeavor to support the laws thereof.

3d. That you strictly adhere to the Association of the late Continental Congress, and deal with the violators of it in the manner therein recommended.

4th. That you endeavor particularly to enforce the laws of the Province against Hawkers, Pedlars, and Petty-Chapmen.

5th. That you abstain from the use of East India Tea, whenever, or by whatever means it has or may be imported.

6th. That you encourage and support your several Committees of Correspondence and Inspection, in discharging the very important trust you have reposed in them.

7th. That in case any inhabitant of these Colonies should be seized, in order to be transported to Great Britain, or other parts beyond Seas, to be tried for offences supposed to be committed in America, you conduct yourselves agreeable to the advice of the late Continental Congress.

8th. That in your several stations you promote and encourage the Manu-

factures of this country, and endeavor, both by precept and example, to induce all under you, and with whom you are connected, to practice economy and industry, and to shun all kinds of extravagance.

9th. That the Officers of the several Regiments strictly comply with the laws of this Province for regulating the Militia; and as the Militia upon this Continent, if properly disciplined, would be able to do great service in its defence, should it ever be invaded by his Majesty's enemies, that you acquaint yourselves with the manual exercise, particularly that recommended and enjoined by the Captain General, the motions being natural, easy, and best calculated to qualify persons for real action; and also to improve themselves in those evolutions which are necessary for infantry in time of engagement.

10th. That, as your enemies are using every art to impoverish and distress you, in order to induce submission to their arbitrary mandates, you carefully shun those measures which may have a tendency to distress your brethren and fellow-sufferers, and avoid all unnecessary lawsuits, and endeavour to settle disputes between you in the most amicable and least expensive manner. That all debtors exert themselves in discharging their just debts, and all creditors exercise such lenity as their circumstances will admit of.

11th. That as the inhabitants of the town of Boston, in the Province of the Massachusetts Bay, are now labouring under a load of Ministerial vengeance, laid upon them to enforce obedience to certain arbitrary and unconstitutional acts, which, if once submitted to, must involve all America in slavery and ruin; conscious that all these Colonies are largely indebted to the virtue and fortitude of those patriotick assertors of freedom, we heartily recommend a continuation of your contributions, for the relief of that oppressed people; and that you keep yourselves in constant readiness to support them in their just opposition, whenever necessity may require.

Lastly, We earnestly entreat you, at this time of tribulation and distress, when your enemies are urging you to despair, when every scene around is full of gloom and horror, that in imitation of your pious forefathers, with contrition of spirit and penitence of heart, you implore the Divine Being, who alone is able to deliver you from your present unhappy and distressing situation, to espouse your righteous cause, secure your liberties, and fix them on a firm and lasting basis; and we fervently beseech him to restore to you, and your American brethren, that peace and tranquillity so ardently desired, and earnestly sought for, by every true friend to liberty and mankind.

By order of the Convention.

J. WENTWORTH, *President.*

Brentwood Committees.

[Copied from Am. Ar., 4th Ser., Vol. I., p. 1222.]

At a meeting of the Committee of Correspondence in Brentwood, February 9, 1775.

Voted, Doctor Thomas Peabody, Chairman.

Voted, Mr. William Keous, Clerk.

Voted, To abide by the advice of the Continental Congress, and to use our endeavours that others shall comply with the same.

Voted, That the thanks of this committee be given to the Grand American Congress, and in particular to the truly patriotick Members of this Province.

Voted, That if any Pedlars, Hawkers or Petty-Chapmen, shall offer for sale any sort of Merchandise whatsoever, that we will use the utmost of our endeavours that they be dealt with according to law; and if any person or persons shall trade with, or otherwise encourage such Pedlars, by entertaining

them, such person or persons shall be deemed and treated as enemies to this Country.

Voted, If any Merchant, Trader or other person within our limits, shall take advantage of the present distressed circumstances of America, and by an avaricious thirst after gain, shall raise the price of any commodities whatever beyond their usual reasonable prices, or use their influence by words or actions, to disconcert the measures advised to by the Grand Continental Congress when made to appear to this Committee, or the major part of them, shall have their names published in the *New Hampshire Gazette*, that they may be publickly known, and treated as enemies to this Country.

By order of the Committee.

THOMAS PEABODY, Chairman.
WILLIAM KEOUS, Clerk.

Portsmouth Committee.

The Committee for carrying the Association recommended by the Continental Congress, into execution, have taken under their [serious] consideration the practice of Gaming, more especially that at Cards and Billiards, which there is great reason to think still prevails in this Town; they therefore do earnestly recommend it to all those who furnish the accommodations for these purposes, to discontinue their unjustifiable proceedings at this time, when all the Colonies are involved in deep distress and danger; otherwise they may depend upon seeing their names in the publick Papers, as recommended in the Association.

The Committee do likewise recommend it to the Merchants and Traders in this Town, who are dealing in European Goods, that they do not take any advantage of the times, by raising the price of Goods, lest they be found violating the Grand American Association, and of course deemed and treated as inimical to the glorious cause, so zealously espoused by every true friend to the just rights of mankind.

H. WENTWORTH, Chairman.

Portsmouth, February 10, 1775.

Plymouth Town Meeting.

[Copied from Am. Ar., 4th Ser., Vol. I., p. 1245.]

At a meeting of the Freeholders of the town of Plymouth, in said County, on Fryday, the 17th day of February, 1775:

Voted Mr. John Willoughby, Moderator.

Voted, That the Honourable John Fenton, Esquire, represent this Town in General Assembly.

Voted, That the following Instructions be given to the Honourable John Fenton, Esquire, as our Representative, and that a copy of the same be forwarded by the Town Clerk to the Printer of the New Hampshire Gazette, to be published.

To the Honourable John Fenton, Esquire, Representative for the Town of Plymouth in the County of Grafton:

SIR: We the Freeholders of the Town of Plymouth, being highly impressed with the most favourable sentiments of you, from the many eminent services conferred on this County, and the town of Plymouth in particular, since your first acquaintance with us, should think it needless, at any other time than this, to give you instructions respecting your conduct as our Represen-

tative in General Assembly. But when we reflect on the momentous affairs that are now pending between Great Britain and her Colonies, and the imminent danger that threatens them, (for we look upon the interest to be mutual) we trust that you will not construe our instructing you to arise from any distrust or want of confidence, but from anxious wish and hearty desire to see the strictest harmony once more established between our parent state and her Colonies, according to their Charter and other rights, as they have been practised from the first accession of the august House of Hanover, to the time of the Stamp Act. We therefore think it our duty to instruct you as our Representative.

First, That you will do everything in your power to preserve the laws of the land inviolate, and by every legal means prevent a diminution of them in every respect whatever; for should the people either throw them aside, or in any manner disregard them, we apprehend that anarchy and confusion must quickly ensue.

Secondly, We recommend to you in the strongest terms, to discountenance every act of oppression, either as to the persons or properties of individuals, as we look upon such proceedings to be highly prejudicial to the common cause, and directly tending to fill the minds of the people with jealousies and distrusts, the bad effects of which must appear obvious to every man of common understanding.

Thirdly, We desire that you will not on any account give up, or in manner suffer a diminution of the rights and privileges we now enjoy, as we live under good and wholesome laws; and,

Fourthly, That you will do the utmost in your power to keep harmony in the House, that the publick affairs of the Province may be discussed with coolness and impartiality; much depending on such conduct at this time of our difficulties; also, that you will endeavor to have the House open, that those out of doors may be acquainted with the debates of their Members, the practice of secrecy heretofore used, tending much to the disquiet of numbers of their constituents.

Military Company at Durham.

Articles of Inlistment.

[Copied from Am. Ar. 4th Ser., Vol. II., p. 31.]

We, the subscribers, do hereby agree to form ourselves into a Company, and meet at Durham Falls, on every Monday afternoon, for six months next coming, to acquaint ourselves with the Military Art, and instruct each other in the various manœuvers and evolutions which are necessary for Infantry in time of battle. We also agree to appear each time well furnished with Arms and Ammunition; and at our first meeting, to nominate and appoint the several officers, who are to preside over us for the first month, and then proceed to appoint others for the next month, always avoiding to re-elect any that have served, until all the others have gone through their tour of duty, as officers: And at any muster or field-day, we shall hold ourselves obliged to incorporate with the respective companies to which we belong, and yield all due obedience to the proper officers of the Militia, appointed by the Captain General; and endeavor to instruct those who are undisciplined in the best manner we are able. (1)

(1) With this Company Major John Sullivan was connected. It consisted of 82 "reputable inhabitants." See interesting articles relating to this company, in Am. Ar., 4th ser., Vol. II., pp. 31. 32. As quoted from New Hampshire Gazette, March 3d and 17th, 1775. — Ed.

HILLSBOROUGH COUNTY CONGRESS.

NOTE BY THE EDITOR.

During this unsettled state of affairs, County Congresses, as they were called, were held in some parts of the Province, particularly in Hillsboro' County, which were composed of delegates from the several towns in said County. The records of these County Congresses are imperfect; but for the following, the editor is indebted to the courtesy of E. D. BOYLSTON, Esq., of Amherst, who searched the records of the towns in Hillsborough County with great care, in relation to this matter. He also found valuable papers, in the hands of Hon. Charles H. Campbell, of Nashua, whose grandfather, Daniel Campbell, Esq., of Amherst, was an active participant in the proceedings on those occasions, and who had the said Papers in his possession, at the time of his decease.

The Papers arranged according to date, and for easy reference are placed together, although they relate to matters of different periods.

Vote passed at a Town Meeting in Amherst held October 24, 1774.

[Copy from Town Records.]

Voted that Mr. Paul D. Sergent, Mr. Benj[a] Kinrick, Daniel Campble be Delegates, & do hereby direct and Instruct them to use their Endeavours to Secure and maintain Peace & good Order in this Town & to use their utmost Efforts to defuse peace and good order through this County, and Excite in the minds of People a due Respect to all just measures that may be recommended by the present grand Congress at Philadelphia, and said Delegates are hereby instructed to take Copys of this vote from the Clerk and send to all the Towns in this County that they shall think necessary to constitute a County Congress; that so the good ends aforesaid may be Answered, Grievances heard, and Remonstrate to such Authority whose Province it is to grant Redress.

Amherst, April 5[th] 1775.

In County Congress, Present,

Benj[a] Kenrick, Dan[l] Campbel, Paul Dudley Sargant, Amherst; Jon[a] Martin, Mr. Punnam, [Putman] Wilton; Francis Blood & John Cragin, Temple; Francis Eps, Lindboro', Deacon Juit, Holles; Joseph Meriam, Mason; Capt. Chamberlane, Capt. Auld, Capt. Barron, John Neal & Simeon Cummings, Merrymack; Arron Brown, Peterborough; Doc[t] Jon[a] Gove, Esq[r] Clark and Thomas Willson, New Boston; Nath[l] Switzer, Dearing; Esq Quigley, Frances Town; John Parker & Dan[l] Kendal, Litchfield; James Martin, Bedford; Joseph Bates, New Ipswich; Asa Davis, Mr. Hazelton, Nottingham West; Capt Lovewel, Dunstable; Capt. Stark's, Derryfield.

1. Voted Benj[e] Kenrick Chairman.
2. Voted John Cragen clerk.

3. Voted to adopt and abide by the Resolves of the Continental Congress — objected to by Doct^r Gove & Esq^r Quigley.

4. Voted, That Capt. Blood, Capt. Stark, Capt. Lovewell, Mr. Sergeant, Mr. Jo^n Martin, Doc^t Gove, and Dan^l Campbell be a committee to consider of the several Articles in the Circular Letter sign^d by Benj^a Kendrick & Dan^l Campbel and make Return to-morrow at the adjournment.

Adjourned.

April 6, met by adjournment.

5. Whereas it is Necesary for the Defence of any People that they Perfect themselves in the military art and whereas it is said from the good dissiplin of regular Troops that one Regiment would put to flight ten that are not Dissiplined, we earnestly recomend to this County to form themselves into companys and make choice of such men as they shall think Best Qualified for teaching the military art to meet once a week at least at the same time paying that obedience to the officers appointed by authority as the Law requires and make certain rules binding themselves in the manner they Judge most proper for executing the above mentioned Plan.

We would Recommend to all Persons of this Community not to engage in any Routs Roits or licentious attacks on the persons or property of any Person or property whatsoever as being subversive of all good order & Government.

6. That a Remonstrance be made to the Good People of the Massachusetts Bay, shewing the Difficulty this County labors under from their not being able to Recover monies in that Province when there are considerable sums Due to them & praying that they would not Distress us at this time when we are Doing every thing in our Power for them.

7. That a Petition be Drawn & preferr'd to the General Court praying an act to be made Requiring the Endorser to make oath that he has paid a consideration Equal in value for any Note brought in his Name.

8. That a Petition be Drawn & preferr'd to the General Court praying an act to be made that there may be two Superiour Courts in this County annually.

9. Voted That Capt. John Stark, Mr. Paul Dudley Sargant & Dan^l Campbel be a Comittee to Draw up the Petition to be preferr'd to the General Court, also carry the same to the Select men of the several Towns in the County in order to be signed by them, likewise Present the same to the General Court.

10. Voted That the above named Capt. John Stark Paul Dudley Sergant & Dan^l Campbel be a Committee to Draw a Remonstrance to the good People of the Massachusetts and Insert the same in the Esex Gazete and one of the Boston Papers.

11. Voted that Deacon Jewet, Doct. Gove & Ens^n Dan^l Kendal be a Committee to wait upon the Gentlemen of the Barr Desireing them as much as in lies consisting with honor & justice to Discourage all actions that may be bro't by Persons in the Bay Government, against any man in y^is county, until the laws have free course in that Government (1) and make Report at the adjournment.

Adjourn'd till tomorrow at Eight o'clock.

April 7. Met according to adjournment.

The Return from the Gentlemen of the Barr by the Committee chosen to treat with them that they will fuly comply with the above Request in all Particulars.

(1) This article is interlined and was originally written "untill the present difficulty is settled." — Ed.

Voted, Return the thanks of this Body to s[d] Committee for their faithful services.

Voted That Paul Dudley Sergant, Jon[a] Martin & Dan[l] Campbel be a Committee to call a meeting of the County when they shall see occasion therefor, and Desolved the meeting.

NOTE.

[A third County Congress was held at Amherst May 24th 1775. A mere fragment of the Circular calling it was found many years since among the papers of the late John Bell, Esq., of Bedford, one of the Selectmen of that town in that year, and published by the late Col. Potter, in his History of Manchester. It is as follows.—Ed.

"God forbid! Let every Brest swell with disdain at the Impious thought. The British troops have invaded every Sacred Right of Nature. Then let us defend them as long as we have life. And we believe the Great God that Gave them to us will look down with gracious Approbation and Cause us and our Posterity to Rejoice in his Salvation. And while we are vigorously Defending ourselves against the attacks of the British Troops, it is expedient and equally necessary to give due attention to our internal Policy in this County.

Stimulated by these reflections, we have Thought proper, by and with the advice of a number of Respectable men in Amherst, to appoint a County Congress. Accordingly Wednesday the 24th of this instant May, at eleven of the clock in the forenoon, at the Cort House in said Amherst, is appointed for that purpose, to consider and determine upon the following Particulars, viz.

First, To see if the Congress will appoint a Committee of Corrispondence to wait upon or join with the Congress in the Province of Massachusetts Bay.

Secondly, To go into some measure for the better security of the internal Polity of this County to prevent declining into a State of Nature.

Thirdly, Enforce a strict Adherence to the Association of the late Continental Congress.

It is Desired that you send your Delegates and with them a Certificate of their appointment.

Gentlemen we are your
hhble Servt[s].

DANIEL CAMPBELL } Committee for
JONA. MARTIN } calling a Congress.

May 13th A. D. 1775.

At a Convention of the Delegates from the several Towns in y[e] County held at Amherst May 24th 1775.

Chose Jonathan Martin Chairman
Rever[d] Mr. Searl of Mason, Clerk
to see if it is the mind of the members of this body to agree to and aquies in the Resolves of the late Continental Congress in Sep[t]. & Oct[r] last at Philedelphia.

Voted in the affirmative
to see if s[d] Towns in y[e] County have chosen a Committee of Safty to see if the several Towns strikly adhere to late Resolves of the Continental Congress.

Answer'd in the affirmative except two towns, which promis'd to forward the same.

Voted a Committee to act on any affairs that may come before them or any seven of them to be a Corram to act till further orders.

Committee.

Campbel	Neal	Hail	Mr. Searl	Bowman
Nevins	Barrow	Simonds	Mr. Webster	Patten
Lovewell	Martin	Holmes	Adams	Jones.

Letter directed to Mr. Searle Clerk for the County Congress.

Holles, July 17th 1775.

GENTLEMEN —

You must be Sensible that it has been strongly Recommended by the Continental Congress, and enjoyned by them upon the inhabitants of the several Towns in this Government, that they choose Committees of Safety, to keep Good Order in their Respective Towns, & also to Examine & deal with all such persons as appeared to be any ways Enemical to their Country. You must also be Sensible that it has been Recommended by the Continental Congress to all the Colonies on this Continent in General, and in Particular We in this Government have had it Recommended to us by our Provincial Congress to do all in our power to preserve Good order among ourselves, that thereby the union of all the Colonies might be perfectly harmonious, that we might avoid doing any thing that might Cross the General plan & have a tendency to destroy the Common Cause. Therefore, we would inform you that the inhabitants of this town did choose us the Subscribers as a Committee of Safety for the Purposes above mentioned, & we have met from time to time, & always hitherto have been and still are Ready to hear any Complaint against any inhabitant of this Town & determine the same impartially. Notwithstanding all which we understand you have *Assumed* on authority of your own to Summon some of the inhabitants of this Town before you for Tryal. We should have Really thought, if you had anything against any of them, that you could not have been so mistaken as not to have known that it was your duty to have come & complained to us, and if you were not Satisfied with our Decision of any matter you might appeal for a Further Tryal to our Provincial Congress or Committee of Safety, or the Continental Congress: this we look upon to be the proper way — and when any person or body of men, do assume upon themselves to go contrary to the advice of the Respective Congresses, & the Rules and Resolves Laid down by them, they are Really hurting the Common Cause, and are (what they call others) Enemies to their Country. And you may depend on it that we both as members of Society, and as a Committee of Safety in this Town, shall, as We think it our Indispensable duty, do all in our power to have the strictest Regard and obedience paid to whatever the Respective Congresses have already advised to, and shall hereafter advise to, for the good of the Common Cause.

As to your Citing any persons before you who have been Examined by us, and dealt with, We look upon it to be of Dangerous Consequence, a very Extraordinary Procedure, and a Reflection upon our Capacity and understanding, and something which did not belong to your proper Province.

We herewith send you inclosed a Copy of the Declaration which was subscribed by sundry persons of this town, & which was thought by us to be satisfactory, & we gave these persons a Certificate under our hands that we looked upon them as friends to their Country. This declaration here inclosed has been shown to some of the members of the Provincial Congress of this Government, to a number of Gents. in the Massachusetts Province, & in the Colony of Connecticutt, and they all of them have highly approved of it. and think it by all means satisfactory.

Upon the whole, Gentlemen, we would assure you, that all we are seeking after is to promote the good of the Country, of the Province, and the Common Cause of all America in general, in the defence of our just Rights and Liberties; and We earnestly Wish and Pray that our Endeavours may be Crowned with Glorious success.

We are Gentlemen your
Hum[l] Servants.

The following found with the "Campbell Papers," seems to be the form of Oath or Declaration, required. — Ed.

"I A. B. Do solemnly Swear by the great Name of the Ever living God, that I will Do my duty as a good Subject of this State of New Hampshire, that I will to the utmost of my power and ability Disclose and make known to some officer or Magistrate acting for and under the authority of the united States, or some one of them, all plots & Conspirices which I know or may Come to my knowledge against this State or the united States of America or any one of them; as Independent of and in opposition to the King of great Britain and that I will not Directly or Indirectly aid, assist, advice, or give Intelegence to any person or persons acting under the Authority of the said King of great Britain Relative to His or ther Endevering to Bring the united States or any one of them under the Dominion of the said King — and that I take this oath without any mental Reservation or Equivacation whatsoever And mean Honestly and faithfully to perform the Same. So help me, &c."

[Indorsed on the back] — "Form of an oath in Whigg & tory times."

THIRD PROVINCIAL CONGRESS.

[P. 23.] *Journal of the Provincial Convention or Congress, which met at Exeter, 21st April, 1775.*

NOTE. In this Journal the editor follows the copy arranged by John Farmer, Esq., comparing it carefully with such minutes of the original, as are preserved, and adding all documents and papers that have been found, relating to the transactions of this Congress during the period of its sitting.—ED.

Province of New Hampshire. } At a Convention of Delegates from several Towns in this Government, held at Exeter, 21st [April] 1775, to consult on what measures shall be thought most expedient to be taken at this alarming crisis.

Present

Portsmouth	Dr. Joshua Brackett
	Mr. Jacob Treadwell
	John Pickering Esq.
	Capt. William Whipple.
Greenland	Col. Clement March
	Maj. William Weeks
Stratham	Dea. Stephen Bordman
	Capt. Joseph Hoit
	Mr. Daniel Clark
	Mr. Stephen Piper
	Mr. Ezra Barker.
Hampton	Jonathan Moulton, Esq.
	Col. Christopher Toppan
	Capt. Joshua Moulton
Hampton Falls . . .	Col. Meshech Weare
	Capt. Jona. Tilton
Kensington	Capt. Ezekiel Worthen
	Mr. Benjn Prescott.
Exeter	Col. Nathl Folsom
	Col. Nicholas Gilman
	Docr John Giddinge
	Mr. Thoph. Gilman
	Mr. Enoch Poor
New Market	Capt. Jeremiah Folsom
	Capt. Hubertus Neal
	Mr. James Hill
Epping	Mr. Enoch Coffin
	Dr. Joseph Prescott
Nottingham	Benj. Butler Esq.
	Capt. Joseph Cilley
Kingston	Col. Josiah Bartlett
	Col. Ebenezer Stevens
	Peter Sanborn, Esq.

	Epsom	Mr. James Gray
	East Kingston	Nath[l] Bachelder Esq.
		Mr. Jona. Collins
[p. 24.]	Hawke	Dea. Henry Merrill
		Mr. Elisha Batchelder
		Doc[r] Thos. St. Raney
	Chester	John Webster Esq.
	Newington	Rich[d] Downing Esq.
		John Nutter Esq.
	Durham	Moses Emerson, Esq.
		Eben[r] Thompson Esq.
		Mr. John Smith 3[d]
		Lt. Sam[l] Chesle
	Madbury	Mr. John Wingate
	Lee	Joseph Sias Esq.
		Mr. Smith Emerson
	Dover	Steph[n] Evans Esq.
		Capt. John Waldron
		Mr. Nath[l] Cooper.
	Somersworth	Col. [John] Wentworth
		Ichabod Rawlings Esq. [Rollins.]
	Rochester	John Plummer, Esq.
		Capt. John Mc Duffee
	Keene	Timothy Ellis
	Boscawen	Peter Coffin
	Temple	Capt. Francis Blood
	Mason	Deacon Amos Dakin
	Newtown	Joseph Bartlett Esq.
	Milton	Jacob Abbot
	Bedford	James Martin
	New Ipswich	Isaac Appleton
	Amherst	Mr. Paul Dudley Sargent
	North Hampton	David Marston
	Plymouth	Maj. David Webster.
	Alexandria	John Mc Murphy

Voted that the Hon[bie] John Wentworth Esq. be President of this Convention. (1)

Voted That all the transactions of this Convention be kept secret, and that each member pledge his honor and faith strictly to observe the same.

[The following Oath may have been presented to the Convention to be taken, as it is found on one of the papers of the Convention, but whether administered or not, does not appear.]

"*You swear by the great name of the Everlasting God, that as a member of this Congress you will keep secret all such matters as may be laid before the same Congress and all debates, with the results thereof, orders and determinations whatsoever.*"

(1) Hon. JOHN WENTWORTH, son of Capt. Benjamin and Elizabeth (Leighton) Wentworth, was born 30 March, 1719, in that part of Dover which became Somersworth and is now Rollinsford: left fatherless at the age of six years, he was much indebted to his uncle, Col. Paul W., for his early advantages. Col. Paul took a deep interest in him and made him his chief heir, giving him, by his will, the homestead at his death. He was one of the Selectmen of Dover, 1747; representative from Dover 1749, and repeatedly afterwards; in 1767, he was representative from Somersworth; Speaker of the House 1771-1775. In 1773 he was made Chief Justice of the Court of Common Pleas in Strafford county, and in 1776 appointed one of the Judges of the Superiour Court of the State, in which office he served till his death. See Wentworth Geneal. Vol. 1, pp. 210-212. — ED.

Voted, That Ebenezer Thompson Esq. be Clerk of this Convention.

[P. 25.] Voted unanimously that Col. Nath[l] Folsom (1) Esq[r] be desired immediately to take the chief command of the Troops who have gone or may go from this Government to assist our suffering Brethren in the Province of the Massachusetts Bay who are now opposing the hostile violence of the Regular Troops there (2) and to order for the Troops that may be under his command from time to time all necessary supplies and to transmit to us the earliest accounts thereof, and what may be thought further necessary for support of the common cause.

Voted That Josiah Bartlett, Esq[r] & Mr. Theophilus Gilman be a Committee of this Convention to proceed Immediately to Concord, or where the Congress of the Massachusetts Province may be sitting, to consult with them what Quota of men will be necessary for this Province to provide, & such measures as may be tho't expedient at this critical juncture & make report to this Convention as soon as may be. Adjourned to Tuesday 25[th] Inst.

Tuesday, 25[th] of April, 1775.

Met according to adjournment, & were Joined by the persons named in the Paper No. 2.

[The list of persons in the paper referred to is as follows.]

No. 2. *New Members.*

Matthew Thornton, Esq[r]	Londonderry
Capt. John Cram	Chichester
John Dudley, Esq[r]	Raymond
Mr. Jon[a] Swain	"
Rev[d] Mr. Timothy Walker	Concord
Capt. Joseph Baker	Pembroke
Mr. Joseph Ayers	Dunstable
Wyseman Clagett, Esq[r]	Litchfield
Lt. Sam[l] Chase	"
Moses Parsons	Amherst
Capt. [John] Chamberlin	Merrimack
Nathan Batchelder Esq[r]	Loudon
Samuel Hobart Esq[r]	Holles
Samuel Dudley Esq[r]	Brentwood
Elisha Sandborn, Esq[r]	"

(1) Col. Folsom was of Exeter. He distinguished himself at the battle near Lake George 1755, (see Vol. VI., p. 440). He was in command of the 4th N. H. Regiment prior to the Revolution, and after the battle of Lexington was put in command of the troops from New Hampshire as Brigadier General. Difficulties arising between Gen. Folsom and Col. John Stark, Congress settled the matter by appointing Major John Sullivan Brigadier of the New Hampshire troops; — thus dropping both Folsom and Stark. Folsom was made Major General, however, of the New Hampshire Militia, by N. H. authorities, thus showing their confidence in an honorable man and brave soldier. See Potter's Hist. Adj. Gen. Rep. Vol. II., p. 140. — Ed.

(2) In what may be termed the "Military History" of N. H. during the whole period of the Revolution, (in addition to the Papers in this volume,) readers are referred to Col. C. E. Potter's Mil. Hist. in Adj. Gen. Report, Vol. II., 1866, pp. 263–368. Also Belk. Hist. N H., and to general histories of that period. — Ed.

	Mr. David Morrill	Canterbury
	Capt. Elip[h] Merrill	South Hampton
	Mr. Moses French	" "
	Mr. Daniel Evans	Allens Town
	Richard Jenness Esq[r]	Rye
[P. 26.]	Mr. Daniel Brown	Poplin
	Mr. Abraham Drake	North Hampton
	Maj[r] Joseph Welsh	Plaistow
	Mr. Joshua Bailey	Hopkinton
	Mr. Moses Kielle [Kelley]	Goffe's Town
	Mr. Benjamin Johnson	Northwood
	Mr. Benjamin Jones	Lyndeborough
	Mr. Henry Robie	Seabrook
	Mr. Simon Marston	Deerfield
	Mr. Samuel Cunningham	Peterborough
	Capt. Abraham Page	Nottingham West
	Timothy Ladd Esq[r]	Atkinson
	Mr. Daniel Poor	"
	Abel Webster	Plymouth
	Moses Hook	Sandown
	Capt. Matthew Thornton (1)	Holderness & Thornton
	James Betton, Esq[r]	Windham
	Ninian Clark	New Boston
	Sam[l] Little Esq[r]	Hampstead
	Ebenezer Swan	Walpole
	Joseph Greenwood	Dublin

Letter from Col. Wentworth, Chairman of the Convention.

Somersworth, 25[th] April 1775.
Tuesday, 6 o'clock, A. M.

Gentl[n]

My Health is such its Impracticable for me to attempt to be at Exeter this day. I was very ill able to attend last week: Hope you'll agree on some method to prevent the soldiers being mustered on every false alarm, otherwise we shall soon be Distressed for want of Provision. It was surprising to see the numbers collected when I came from Exeter, at Newmarket, Durham, Dover, Somersworth &c. Some of which came to Dover 20 miles & more, you must know the consequences if not prevented.

I heartily wish the Divine Direction & blessing may attend your consultations & Determinations, and after assuring you I am Heartily engaged in the same cause with you,

Am your sincere friend & most obedient
Humble Servant
Jno. Wentworth.

To the Gentl[n] of the Congress
convened at Exeter.

[P. 27.] Voted, That the Hon[bl] Meshech Weare Esq[r] be President Pro Tempore.

The Convention took under consideration a Letter from the Congress of the Province of the Massachusetts Bay & after Debating & Considering thereon,

(1) This person was an early settler in the town of Thornton, and said to be a nephew of Matthew Thornton, Esq., of Londonderry. — Ed.

Voted That the Convention think it not expedient at this time to take under consideration & determine the whole subject matter of said Letter, there being not a general representation of this Province.

[The letter is as follows.]

See the original MS. in "State Papers," "Revolution," Vol. I., p. 7.

In Provincial Congress,

Watertown, April 23d, 1775.

Resolved unanimously That James Sullivan Esq^r a member of this Congress be immediately dispatched to the Colony of New Hampshire as a Delegate from this Body to deliver to the Provincial Congress there the following letter, & further inform them of the present situation of this Colony, & report the effect of his Mission to this Congress as soon as possible.

Watertown, April 23d, 1775.

Before this letter can reach you, we doubt not you have been sufficiently certified of the late alarming resolutions of the British Parliament, wherein we see ourselves declar'd rebels, and all our sister Colonies, in N. England in common with us marked out for the severest Punishments. In consequence thereof, General Gage has suddenly commenc'd open Hostilities, by a large body of the troops under his command, secretly detached in the Night of the 18th Instant, which on the morning ensuing had actually begun the slaughter of the innocent Inhabitants in the very heart of the Country, before any intentions of that kind were suspected; & altho' the rouzed Virtue of our brethren in the Neighborhood soon compelled them to a precipitate retreat, they mark'd their savage rout with Depredations, ruins and butcheries hardly to be match'd by the armies of any civilized Nations on the Globe.

Justly alarm'd by these manœuvers, vast multitudes of the good People of this & the neighbouring Colonies are now assembled in the vicinity of Boston for the Protection of the Country — the gates of that devoted Town are shut & the miserable inhabitants pent up there, with a licentious soldiery, as in one common Prison. Large reinforcements of the Troops under General Gage [p. 28.] are hourly expected: & no reason is left us to doubt that his whole force as soon as collected will be employ'd for the destruction, first of this, & then of our sister Colonies, engag'd in the same interesting cause; & that all America will be speedily reduc'd to the most abject Slavery unless it be immediately defended by arms: Unavoidably reduc'd to this necessity by circumstances that will justify us before God & the impartial world, this Congress after solemn deliberation & application to Heaven for direction in the case, have this day unanimously resolv'd, that it is our duty immediately to establish our Army for the maintenance of the most invaluable rights of human Nature & the immediate defence of this Colony, where the first attack is made; that 30,000 men are necessary to be forthwith rais'd in the N. England Colonies, for that purpose; & that of that force, 13,600 shall be establish'd by this Colony without delay.

We have not a doubt of the virtue of the Colony of N. Hampshire — no less engaged than ourselves, in the glorious cause at stake, & equally involv'd in the miseries that must ensue, shou'd it be lost; in testimony of our reliance on you, we have sent this express to give you the earliest notice of these resolutions, and the circumstances that have necessitated them, and earnestly to request your speediest concurrence & such assistance in this most important cause, as the present urgent necessity demands; & the many former evidences we have had of the spirit & firmness of the Colony of N. Hampshire give us the highest reason to expect.

We are, gentlemen, your most obedient
humble servants

JOSEPH WARREN, Pres. Pro Tem.

P. S. The great confusions in this Colony prevent our being able to send with this Letter, such Depositions as might give full & particular information of the facts above refer'd to — but measures are taken for that purpose, & we shall not fail to transmit the result of them by the first opportunity.

Letter of J. Palmer in behalf of the Committee of Safety of Massachusetts.

[Copied from MS. "State Papers, Revolution," Vol. I., p. 3.]

Cambridge, April 22d, 1775.

Gentlemen —

On Wednesday the 19th Inst. early in the Morning, a Brigade of General Gage's army march'd into the Country, to Lexington, about 13 Miles from Boston, where they met with a small Party of our Militia exercising, who had no intention of doing injury to the Regulars, but they fired upon our Men without any provocation, killed 8 of them, & wounded two others: then they marched to Concord, where they destroy'd part of our Magazines & Stores; however, our People collected as soon as possible, & repulsed the Troops, pursuing them quite down to Charlestown, where they encamped on a place called Bunker's Hill; The first Division, which consisted of about 1000 Men went to Concord: and the 2d Division, about the same number, who took the same rout, & supported the first Division as well as they cou'd, but all were obliged to retire. Our loss is supposed between 20 & 30 kill'd & a few wounded; their loss is much larger. As the troops have now begun Hostilities, we think it our Duty to exert our utmost strength to save our Country from absolute Slavery, & we pray you to afford us all the assistance in your Power; & we shall be glad that our Brethren who may come to our aid may be supplied with all necessary Provisions and Military Stores, as we have no more of either than what is absolutely necessary for ourselves: We pray God to direct you to such Measures as shall tend to the salvation of our common liberties. We are, Gentlemen, with great respect, your distress'd Friends & Brethren.

By order of the Comtee of Safety—

J. Palmer.

To the Honble John Wentworth, Esq. Chairman
of the Provincial Congress of New Hampshire.

Pr. favor of Mr. John Griffin.

Committee of Newburyport to the Committee of Safety, Boston.

[Copied from Am. Ar., 4th Ser., Vol. II., p. 373.]

Newburyport, April 21, 1775.

Sir: We have sent forward the bearer, to have your orders with all possible despatch by his return, whether the forces that are coming from the Province of New Hampshire, and from the eastern parts of our Province, who, by expresses are hastening along, should be sent back, especially those who live near the sea-shore. We are well informed numbers passed our River yesterday, at the upper Ferries, besides four Companies through this Town, on their way to you. We shall follow your directions, and, if ordered, take care to find expresses as far Eastward as necessary. We have a party of men from this Town (upwards of one hundred upon their march to you. If they are not wanted, and you think proper, you can order our express to turn them back. We sent off last evening two field-pieces to you: if not

wanted, they may be of some use here. We would be glad of your directions by our next express, or by any safe opportunity, as soon as you can attend, how we shall act in case any Cutters should come in here, more especially if they bring land forces with them. If provisions of any sort are wanted, give us an account what sort, and we will forward what we are able, with all dispatch. If, in giving answers to these inquiries, it be necessary for you to give any private information, please to direct to Benjamin Greenleaf, Esquire, sealed, and enclose it in another letter, with your information that may be communicated, sealed, to the Chairman of the Committee for this Town, by whose order, and in whose behalf, I am, Sir, your most humble servant,

B. GREENLEAF.

Letter from Newburyport.

[Copied from MS. State Pap. Revol^{n}, Vol. I., p. 5.]

Newburyport, April 22^{d}, 1775.

GENTLEMEN —

We have now Received Information from the Committee of Safety at Cambridge who are appointed by the Province, that they have a sufficient number of Men arrived & therefore wou'd not have any more come from the Northward for the present; but think it needful they shou'd be ready to guard the sea-Coasts in their own Neighborhood. Pray forward this Intelligence as far as may be needful, & with as much dispatch as possible.

We were unhappily thrown into Distress yesterday by false accounts, received by Two or Three Persons & spread abroad, of a Number of soldiers being landed at Ipswich & murdering the Inhabitants. We have since heard that it arose in the first place from a Discovery of some small vessells near the Entrance of their River, one at least known to be a Cutter & it was apprehended that they were come to relieve the captives there in Goal.

I am, gent^{n} your most Hum^{l} Serv^{t},

B. GREENLEAF.

To the Com^{tee} of Correspondence
in Hampton.

(A copy.)

Massachusetts Committee of Safety to the Congress of New Hampshire.

[Copied from Am. Ar., 4th Ser., Vol. II., p. 385.]

April 24, 1775.

Our friends from New Hampshire having shewn their readiness to assist us in this day of distress, we therefore thought it best to give orders for enlisting such as were present in the service of the Colony, as many desired something may be done to hold them together until the resolve of your Congress is known, when we are ready and desirous they should be discharged from us, and put under such command as you shall direct.

Colonel Sargeant has been so kind as to afford his utmost assistance in concluding this matter.

We are, &c, &c.

Hall Jackson to Colonel Jeremiah Lee.

[Copied from Am. Ar., 4th Ser., Vol. II., p. 385.]

Portsmouth, New Hampshire, April 24, 1775.

Dear Sir: Although this is no time for ceremony or compliments, yet so great is the pleasure I feel on your escape from the hands of violent and wicked men, that I cannot help congratulating you. May God Almighty continue to be your safety and defence.

Could it be thought advisable for us to leave the seaports, I should long before this have been with you at the head of a Company as good as ever twanged a bow, inferiour in military discipline to none; they are anxious and eager to be with you.

You well know that the art military has been my hobby-horse for a long time past. I have vanity enough to think that the recommendation of an immediate perusal of the enclosed volume, to the Officers in the United Army, will not be thought impertinent at this time, considering the nature of our country; considering the natural genius of our men, no piece could be better adapted to our circumstances.

Our men are natural partisans. Witness the Rogers, Starkes, and Shepherd, &c. &c. Did they not, in the last War, take the very sentries from off the walls of our enemies Fortresses, in the heart of their Country? I can't help thinking that some Horse might be employed to great advantage, if our adversaries should ever venture abroad again. I have published some pieces on this subject in our papers, but the *New Hampshire Gazette* can hardly be called a proper channel to convey one's ideas to the publick. Might not some of the principal parts of the Partisan be given in manuscript to some of our officers? Dear sir, I hope you will not construe this, my humble opinion, into impertinent dictation. We are all embarked in one cause, and from the ideas of all (though some may be simple) some things of consequence may be collected. With humble submission to the better judgment of every one, I conclude.

Your most obedient, most obliged humble servant,

H. Jackson.

P. S. I have been in my sulky more than once to pay you a visit, but my friends have prevented me. When opportunity offers, remember me to Mrs. Lee and family.

As I apprehend there is not many of the books in the Country, you will make what use of this you think proper, so that I may have it again hereafter.

Yours,

To Colonel Jeremiah Lee. H. J.

James Sullivan to Joseph Warren.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 393.]

Exeter, New Hampshire, April 25, 1775.

Sir: I have this day endeavoured to execute my embassy to this Province with the greatest faithfulness. There seems some opposition here to the assistance we have expected from this quarter, but doubtless the despatches you receive with this will inform you of the determination of this Congress respecting the matter. My being a Committee from the Congress of Massachusetts Bay, has procured me great respect here, which has been shown by them as a body of individuals. I doubt not but there will be the same politeness shown by you towards their missionaries to our Congress.

I am, dear Sir, &c. &c.

James Sullivan.

To Joseph Warren, Esq., President of the Massachusetts Congress.

Letter from Maj. Andrew McClary. (1)

[Copied from "State Pap. Rev." Vol. I., p. 2.]

Cambridge, April 23d, 1775.

Pray Read the following Letter to the Congress now siting at Exeter, Honourable Gentlemen, being in great haste, but beg leave to give you some broken Intelligence relating to the Army that is now assembled here; the Number is unknown at present, and as there's a Counsel of War now siting, their Results is still kept a profound secret, the Army has already provided a Number of Canon, there is more still coming, and is providing a great plenty of war-like Stores, Implements and utensils, there's now about Two thousand Brave and hearty resolute New Hampshire men full of vigor and Blood from the Interior parts of the Province, which labour under a great disadvantage, for not being under proper Regulation, for want of Field officers. In our present Situation we have no voice in the Council of War which makes a great difficulty. Pray, Gent. take these important matters under your Mature consideration, and I doubt not but your Wisdom will dictate and point out such measures as will be most conducive to extricate us from our present difficulties. The Conduct of a certain person Belonging to New Hampshire will have a vast tendency to Stigmatize the Province most Ignominiously: yesterday it was reported throughout New Hampshire Troops that one Mr. Esqr who appeared in the character of a Capt. at the Head of a Company, had been to the General & recd a verbal express from him that *that* all New Hampshire men were dismiss'd and that they might return home, and by the Insinuation of him and his Busy Emissaries about five or six hundred of our men Inconsiderately march'd off for Home. Capt. Cilley and I was three miles from Cambridge when we recd the Intelligence which was to our unspeakable Surprise, for to return before the work was done. We immediately repair'd to the General to know the certainty of the Report, and on making application to him he told us that it was an absolute falsehood, for he never had any such thought. Whereas he very highly valued New Hampt men always understanding them to be the Best of soldiers, and that he would not have any of them to depart for Home on any consideration whatever, till matters were further compromis'd, and strictly enquir'd for the man in order to have him confronted. We reply'd the man was departed and therefore we could not conform with his request. But since we understand that his conduct hath stopp'd a number of men from coming in, and some officers that Tarried has sent for their men to return Back.

Pray Gent: dont let it always be Reported that New Hampshire men were always Brave Soldiers, but never no Commander: the dissertion of those men causes much uneasiness among the remaining Troops, for we are oblig'd to use our utmost Influence to persuade them to Tarry. Gentlemen, I am with all imaginable Respect,

your's & the Country's most obedient Humble servant,

ANDREW MCCLARY.

N. B. Take notice I never told you that Squire Samuel Dudley was the man who propagated this groundless report.

To The Clerk of the Provincial
Congress now sitting at Exeter.

(1) Andrew McClary was of Epsom, N. H., the son of Andrew McClary, an early settler. He was a brave man and a gallant officer. He was tall, of fine personal appearance, and in the words of a brother officer, "the handsomest man in the army." He fought bravely in the battle of Bunker Hill, on the 17th of June following, escaped its perils, and was killed as he was returning from examining the position of the enemy, by a chance shot from a British man of war. [See Potter's Mil. Hist. 1866, Vol. II, p. 265.]—ED.

[*Journal Resumed.*]

Voted That Wyseman Claggett Esq, John Pickering, Esq., Capt. William Whipple, Samuel Hobart, Matthew Thornton, Josiah Bartlett, Esq^{rs}, Christopher Toppan & Ebenezer Thompson, Esq^{s}, be a Committee to make a Draught of an Answer to the letter from the Massachusetts Congress and lay the same before this convention as soon as may be.

[P. 29.] Voted That Mess^{rs} William Whipple, John Webster and Samuel Hobart, Esqrs. be a Committee to endeavour to procure fire arms & ammunition for such Towns in this Government as shall supply them with money for that purpose.

Voted, That it be recommended to the Selectmen of the several Towns, parishes and places in this Province that are destitute of sufficient arms & munitions that they raise money for that purpose & put it into the hands of some one of the Delegates of this Convention to be paid unto John Gidding Esqr. Treasurer to this Convention to be deliv^{d} the af^{sd} Committee & be by them laid out for that purpose.

Wednesday 26th April, A. M.

Voted unanimously that Coll. Nathaniel Follsom Col. Josiah Bartlett & Maj^{r} Samuel Hobart Esqr^{s} be immediately sent as a Committee from this Convention to the Provincial Congress of the Massachusetts Bay to deliver to them a letter from us & further inform them of the particular situation of this Province & report the effect of their mission as soon as may be.

[The letter is as follows, to wit.]

In Provincial Convention at
Exeter 26th April, 1775.

Before the receipt of your Letter, Intelligence of the tragical scene which hath lately been acted in your Colony by the Regular Troops had pierced the ears of the Inhabitants of this, upon which many of our men fired with zeal in the common cause and Resentment at the inhuman cruelty and savage barbarity of the action instantly flew to your assistance, and vast numbers more on their march were stopped upon hearing they were not needed. The Provincial Committee upon this alarm immediately called a special Convention of Delegates from the nearest Towns to consult with the Committee what was then absolutely necessary to be done on that pressing occasion, in consequence of which the Convention met.

[P. 30.] Previous to this, the Provincial Committee upon application to them from a Committee of your Body, had notified the Respective Towns in this Province to choose and empower Delegates to meet at Exeter 17th of May next, to deliberate upon the important and momentous objects proposed by your Congress for the consideration and concurrence of ours, at which the important matters recommended will naturally come under mature deliberation of our Congress, and no doubt they will readily concur and co-operate with their Brethren in New England in all such measures as shall be thought best for the common safety. But this Body though heartily willing to con-

tribute in every advisable method to your aid and for the common safety, judge it not expedient now to determine upon the establishment of an army of observation, as the Towns in this Government are not generally represented.

But it is recommended in the mean time to the Towns in this Colony to supply the men gone from it with Provisions and other necessaries, if their continuance shall be thought necessary.

From the spirit of the inhabitants you may expect their aid, should any emergencies require it. We most fervently wish you the Blessing and Direction of Heaven in all your Deliberations; and God Almighty who protected and saved our pious ancestors amid ten thousand dangers preserve New England from the Horrors and Desolations of Civil war.

By order of the Convention.

In Convention April 26th 1775.
Wedy P. M.

Resolved unanimously that the Delegate or Delegates of this Convention Recommend to his or their Respective Town, parish or place he Represents to provide their proportion of £500 L. M. worth of Biscuit flower & pork (to be ascertained by their proportion of the Province Tax) and lay up the same carefully in their Respective Town parish or place, and that the same be not used for any other purpose but the publick use upon urgent necessity: And that they render an acct of their being so provided at the Provincial Convention the 17th of May next.

[P. 31.] Voted, *nem con*, That it be Recommended to the several Towns Parishes & places in their Province to Engage as many men in each Town as they think fit to be properly Equipt & ready to march at a minute's warning on any Emergency.

P. M. Adjd to Tuesday the 2d of May next.

Letters addressed to the Congress.

Sanbornton, April 28th 1775.

To the Honorable Congress convened at Exeter,—

Gentlemen — The messenger who bears this waits upon you to request your advice at this critical & alarming Juncture. We are in a state almost totally destitute of the proper means of defence. People among us extremely uneasy & greatly alarmed. We have made repeated trials to furnish ourselves with ammunition, but without success. We therefore request such advice as in your wisdom you shall think fit, and such assistance as you may please to grant. We are encouraged to make this application as we understand the province store is opened & a barrel of powder bro't to Canterbury. We can assure you it will be applied to no other use, but our Country's defence, being determined to resist all hostile attempts against our sacred & invaluable privileges to the last extremity.

We are, Gentlemen, your most obt humbl sertS

JOHN SANBORN
AARON SANBORN } Selectmen.
CALEB GILMAN

To JOHN WENTWORTH Esq^r Being appointed and chosen chairman of the Congress held at Exeter in and for the Province of New Hampshire:

The Humble Remonstrance of the poor Inhabitants of Allenstown in sd Province:

Humbly sheweth, that they are but about Twenty in number, the one third of said Inhabitants being in a very distressing condition at present, not in a proper capacity to pay their Provincial Rates, and in a manner destitute of the common necessaries of life: Humbly lay their present necessitous circumstances before your Honour, and the worthy Congress convened at Exeter, hoping that your Honour will be pleased to exempt them from sending a delegate to attend at said Congress, as they are not in a sufficient circumstance to allow any consideration for his service:— the said poor Inhabitants further say, that they are ready and willing to do any other service in their power, according to their present circumstances in the defence of the liberty of their Country; Therefore Humbly and earnestly request that your honour will excuse them from sending a delegate, which privilege will be highly and greatly considered and acknowledged as a great favour by your honour's poor petitioners and shall for ever pray as in duty bound.

We the undernamed do sign the above petition in behalf of the inhabitants of AllensTown as being Selectmen of the Town.

JOHN LEONARD
JOHN HAYES } Selectmen.

Meeting of the Inhabitants of Londonderry, New Hampshire.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 447.]

At a Meeting of the Inhabitants of Londonderry, on the 29th of April, Colonel Stephen Holland personally appeared and made the following declaration, upon which the inhabitants of said Town voted unanimously, that it was satisfactory to them, for his past conduct.

Attest: JOHN BELL, Town Clerk.

"Whereas through mistake, misunderstanding, misrepresentation, or for reasons unknown to me, I am represented an enemy to my Country; to satisfy the publick, I solemnly declare I never aided or assisted any enemy to my Country in anything whatsoever; and that I make this Declaration not out of fear of anything I may suffer, but because it gives me the greatest uneasiness to think that the true sons of liberty, and real friends to their Country, (from any of the first mentioned reasons) should believe me capable so much as in thought of injuring or betraying my Country, when the truth is, I am ready to assist my countrymen in the glorious cause of liberty, at the risk of my life and fortune.

STEPHEN HOLLAND.

Londonderry, April 29, 1775.

Letter from a gentleman now at New York to the Committee of Correspondence in Portsmouth, New Hampshire, Dated April 30, 1775.

Gentlemen —

At this time of general confusion through the Colonies, nothing can give greater pleasure to every well-wisher to his Country, than the unanimity that takes place through the Continent, more especially at this City; as it is evident (from a number of private letters from London) that Administration have

put the greatest dependance on the Yorkers breaking with the other Colonies. But notwithstanding all the endeavours of designing men, I have the pleasure to inform you, that by the notable struggles of the sons of freedom, all difficulties are surmounted, and nothing can equal the determined spirit of the people here. Yesterday about six or seven thousand men were out on the plain, among whom were some families who have been in the opposition; one and all unanimously voted to defend their liberties, &c. at all hazards. They have stopped clearing to the Custom-House, have taken all the city arms and ammunition from the Hall and Magazine; every preparation is making to completely arm the inhabitants; great numbers of people are employed hauling the cannon from the City to King's bridge, about fourteen miles, where they will immediately intrench. All denominations are under arms, and in high spirits. It is the opinion of almost every one in this place that the Acts of Parliament would have been repealed, had it not been for the encouragement given Administration by this place, that the Colonies would break their union. No people can be more despised, nor more frightened than those here who have been inimical to their Country, particularly the eleven Members of the House. Mr. Rivington has made a recantation; President Cooper has decamped; and it was with much difficulty the people were prevented from taking the lives of those who they have considered as traitors to their Country. All Government seems to be laid aside. The City is now to be regulated by a Committee of Safety, consisting of one hundred worthy men. Though there was a number of large vessels, loaded with wheat and flour, and cleared out, and many partly loaded . . . It was nobly done; immediately stopt every vessel. The New England men are held in the highest esteem for their bravery, and people here are determined to supply provisions, and march to their assistance when called for. The die is thrown, and every man of us, whether we are hearty in the cause or not, must abide by the cast; and as we are all considered as rebels, (not by the Nation, but by a . . . Ministry) let us one and all (which they are determined on their way) stand forth boldly; which will most certainly, under God, insure us success, and that soon.

To the Committee of Safety for Massachusetts.

Portsmouth, New Hampshire, April 30, 1775.

There is much probability that the last mails from England for General Gage passed through Northampton, eastward or northward, yesterday about twelve o'clock. It may be that it may pass up the river as far as Northfield before it steers its course from the seashore. Probably its direction may be to Portsmouth or Salem. No one will judge that it will attempt to enter Boston directly. No doubt the bearer will be several times shifted before its arrival to the place of destination. The people of Northampton yesterday knew nothing that there was any suspicion of the mail's passing by land. The circumstances which make up the evidence that a traveller who passed this Town yesterday was the bearer of the mail, are too many to be mentioned. He undoubtedly came from Hudson's River to Northampton, whether in a direct or oblique course, is not yet made certain. The suspected bearer, who was at Northampton, does not altogether answer the description given in the New York letter of the probable bearer from them, but many think it more likely that they would attempt to get the mail along by some acquainted up the river, in the County of Cumberland, than by Oliver De Lancey, Jun.

Quere, Whether it is not expedient to search every suspicious person passing as far northward as any road leading from Connecticut River to Portsmouth.

Tuesday May 2d 1775.

Met according to adjournment, & the President being absent, Voted that Colo Matthew Thornton Esqr be President pro Tempore.

Several Letters from the Massachusetts Congress read & considered &c. [to wit.]

In Provincial Congress, Watertown 28th April, 1775.

Resolved unanimously, That the following Letter be authenticated by the President of this Congress and deliver'd to Colo Nathaniel Folsome, Colo Josiah Bartlet and Major Samuel Hobart, Esqs. Committee from the Convention of the Colony of New Hampshire, as an answer to their Letter of the 26th Inst.

Gentlemen —

It is with pleasure we have received your Letter abovementioned, and by a Committee of this Congress had a Conference with your respectable Committee.

[P. 33.] We find the fullest conviction in the minds of the Inhabitants of our Sister Colonies as well as of this, that by their immediate and most vigorous exertions there is the greatest prospect of establishing their Liberties and saving their Country, and that without such exertions all must be lost.

It is the opinion of this Congress as already communicated that a powerful army on our side must at once cut out such work for a Tyrannical Administration, as under the great opposition which they meet with in England they cannot accomplish; and that their system of Despotism must soon be shaken to the foundation. But should they still pursue their sanguinary measures that the Colonies will then be able to make a successful stand.

We have the utmost confidence in your patriotic Colony whose Inhabitants have signalized themselves in joining their Brethren in this; and hope to see the New Hampshire and every other Government which has been exposed to the corruption of a British ministry soon placed upon such a footing as will be best calculated to promote the true Interest of the same, and to prevent in future such unhappy Disputes as have taken place with the Mother Country.

We have just received an agreeable account of the Conduct of our Brethren in New York and have delivered a Copy of the Letter to your Committee here.

We sincerely thank you for the late measures taken by your Convention at Exeter, and are fully persuaded that the Congress of your Colony which is to meet on the 17th of May will take such effectual steps as the present exigency of public affairs requires, and the Continent of America must necessarily approve.

Signed by order of Congress,

Jno. Murray, Prest pro tem.

A true copy — Attest Saml Freeman, Secy pro tem.

[P. 34.] In Provincial Congress, Watertown, April 29, 1775.

Resolved That the Committee of Supplies be, and they hereby are impower'd to Purchase every kind of Military Stores Provisions and any other supplies, which they shall judge necessary for the use of the Colony During the Establishment of an Army for its Defence, or until it shall be otherwise Order'd by this or some future Congress, or House of Representatives, on the Credit of the Colony, and make Draughts of suitable Sums from the Treasury for payment of the same. Also to deposit the said Stores in such

suitable Places as they, in Consultation with the Generals of the Colony shall judge proper; and to Deliver such and so many of said Stores to the Commissary General from Time to Time as he shall have Demand For to supply the Army — Likewise said Committee of Supplies are hereby impower'd to Employ such and so many Assistants, as they shall judge necessary to be Paid as aforesaid. Said Committee of Supplies to be accountable when call'd upon For all their Doings to this or some Future Congress or House of Representatives of this Colony.

A true Extract from the Minutes. Sam[l] Freeman, Sec[y] P. T.

The Committee appointed to wait on the Massachusetts Congress reported the Effect of their Mission &c. which was received with satisfaction & voted That the Thanks of this Convention be given said Committee for their faithful service.

Voted That it is recommended by this Convention not to discourage persons, being inhabitants of this Province, from Enlisting in the Massachusetts service for the present Emergency.

Voted That Nath[l] Follsom, John Giddinge & Josiah Bartlett Esq[rs] be a Committee to correspond with the Congress of the Massachusetts Bay, & Committee of Safety there, and endeavour to gain the earliest Intelligence relative to matters that concern the Publick safety, & in particular Information of the Resolution of Connecticut & Rhode Island, and other Southern Governm[ts] about raising forces, &c.

[Here ends the Journal of the Convention. The time of adjournment is not known. — Ed.]

Recantations of Mr. Bailey, Mr. McMaster, and Mr. Ackincloss.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 552.]

Whereas, I the subscriber, have, for a long series of time, both done and said many things that I am sensible has proved of great disadvantage to this Town and the Continent in general; and am now determined by my future conduct to convince the publick that I will risk my life and interest in defence of the constitutional privileges of this Continent, and humbly ask the forgiveness of my friends and the Country in general for my past conduct.

P. Bailey.

Portsmouth, N. H., May 11, 1775.

Whereas, I the subscriber, have, for a long series of time, both done and said many things that I am sensible has proved of great disadvantage to this Town and the Continent in general; and am now determined by my future conduct to convince the publick that I will risk my life and interest in defence of the constitutional privileges of this Continent, and humbly ask the forgiveness of my friends and the Country in general for my past conduct.

James McMaster.

Portsmouth, N. H., May 11, 1775.

Whereas my past conduct hath made an ill impression upon the minds of many of the inhabitants of this Town and Province; and as many view me unfriendly to the rights and liberties of British America, I hereby declare that I am heartily sorry that any part of my conduct should have given uneasiness to any of the friends of America; and hereby engage to aid and assist in supporting the common cause of America to the utmost of my power; and I hope my future conduct will render me worthy of the friendship and protection of this Country.

THOS. ACHINCLOSS.

Portsmouth, N. H., May 22, 1775.

Town Meeting, Portsmouth, New Hampshire.

Extracts of sundry Votes passed at a Town Meeting held at the North Meeting-House in Portsmouth, May 15, 1775:

Voted, That the Town will aid and assist the Committee that is or shall be chosen in behalf of this Town, to preserve the peace and order of it, whenever the Committee shall judge occasion may require.

And that this Committee be fully empowered to inquire touching any obnoxious persons who may flee to this Town for an asylum, and that they shall judge whether it is expedient for any such refugees to reside here or depart from it; and any inhabitant of this Town who shall be obnoxious, shall be only accountable to the Committee for their conduct.

Voted, That no other persons but the Committee shall concern with any such refugees; but if any person shall know of any such obnoxious persons coming into Town, the earliest notice whereof should be given the Committee.

Voted, That the Committee be empowered to call before them, and upon proper evidence to pass censure upon, any inhabitants of this Town who shall dare to transgress any of the preceding votes, or in any manner to disturb the peace of the Town.

Voted, That it is recommended to the inhabitants of this Town to refrain from purchasing any Lamb that shall be killed before the first day of August next, and that they kill no Lambs before that time.

Voted, That the Town recommend the use of fresh Fish to the inhabitants, twice a week at least.

FOURTH PROVINCIAL CONGRESS.

Journal of the Provincial Congress which met at Exeter 17th May, 1775.

[Copied from the original "State Pap. Revo" Vol. I., 1775. Pages correspond with the original. — Ed.]

At a Convention of Deputies from the several Towns in the Province of New Hampshire met at Exeter the 17th day of May 1775: The following Persons from the Towns, Parishes & Places respectively annexed to the several Names, being returned to set as members in this Convention, took their seats accordingly, viz. from

[Note. The Names in this list, are spelled as in the original record.—Ed.]

			Days' Attendance.
[p. 56.]	Portsmouth,	Capt. William Whipple	18
		Capt. William Pearon	2
		Samuel Cutts, Esq.	18
		Saml Sherburne	13
		Capt. Peirce Long	17
	Newington,	Richard Downing Esq.	11
		Samuel Fabyan	11
	Greenland,	Clement March Esq.	6
		Maj. William Weeks	6
		Capt. Nathan Johnson	5
	Hampton,	Capt. Josiah Moulton	17
		Josiah Moulton 3rd	11
	Exeter,	Genl Nathaniel Follsom	18
		Coll. Nicholas Gilman	15
		Colo Enoch Poor	15
	Stratham,	Deacn Stephen Boardman	15
		Saml Lane Esqr	14
	South Hampton,	Benja Brown	16
	Rye,	Samuel Knowles	15
		Nathan Goss	4
	New Market,	Capt. Jeremiah Follsom	16
		Mr. Edward Parsons	13
	Chester,	Stephen Morse	17
		Capt. Robert Willson	13
[p. 57.]	Hampton Falls,	Coll. Meshech Weare	1
		Rev. Pain Wingate	6
	Seabrook,	Henry Robie	14
	North Hampton,	Doct. Levi Dearburne	0
		David Maston	14
		Capt. Abraham Drake	12
	Kensington,	Capt. Ezekiel Worthen	14

Epping,	Rev^{d} Josiah Stearns	16
	David Lawrence, Esq^{r}	4
Brentwood,	Samuel Dudley Esq^{r}	16
	William Morrill Esq^{r}	14
Poplin,	Stephen Sleeper	14
Kingstown & Hawke	Josiah Bartlett, Esq	17
East Kingston,	Nath^{l} Bachelder, Esq^{r}	15
	Maj. Jacob Gale	12
Sandown,	Jethro Sanborn Esq^{r}	9
Pembrook,	David Gilman	16
Deerfield,	Rev. Timothy Upham	11
Bow,	Benjamin Noyes	7
Hampstead,	Jonathan Carlton	12
Plaistow,	Major Joseph Welsh	16
Atkinson,	John Webster	11
	Daniel Poor	11
New Town,	Joseph Bartlett, Esq	14
New Salem	Caleb Dusten	10
Pelham,	James Gibson	12
Nottingham,	Maj^{r} Joseph Cilley	14
	Dr. Thom^{s} Bartlet	15
Epsom,	John McClary Esq^{r}	15
Raymond,	John Dudley, Esq^{r}	16
Candia,	Sam^{l} Moor, Esq	16
Londonderry,	Matthew Thornton, Esq	16
	Mr. James McGregore	16
Concord,	Timothy Walker, jun.	15
Canterbury,	Rev^{d} Abiel Foster	14
	Capt. Jerem^{h} Clough	12
Chichester,	Capt. John Cram	11
Loudon,	Nathan Bachelder, Esq^{r}	13
Northwood,	Sherburne Blake	7
Meredith,	Ebenezer Smith, Esq^{r}	7
Durham,	George Frost, Esq^{r}	7
	Ebenezer Thompson, Esq^{r}	13
Sanborn Town,	Daniel Sandborn, Esq^{r}	9
Madbury,	John Wingate	11
Lee,	Joseph Sias, Esq^{r}	8
	Smith Emerson	5
Moultonborough,	Adam Brown	3
Gilman Town,	Antipas Gilman	11
Rochester,	Dea. James Knowles	9
	Col^{o} John McDuffee	14
Wakefield,	Nathaniel Balsh	15
Dover,	Capt. Shadrach Hodgdon	15
	Capt. Stephen Evans	14
Somersworth,	Ichabod Rawlings, Esq^{r}	16
	Capt. James Garvin	11
Litchfield,	Capt. John Parker	9
Henniker,	Timothy Gibson	2
Cockbourne,	Capt. Abijah Leonard	6
Dunstable,	Jonathan Lovewell, Esq^{r}	0
	John Ayres	12
	Noah Lovewell	8
Merrimack,	Jacob McGaw	11
Boscawen,	Capt. Henry Gerrish	10
Goffes Town,	Moses Kielle	15
New Ipswich	Rev^{d} Stephen Farrar	13
Amherst,	Paul Dudley Sargeant	4
	Moses Parsons	15
Bedford,	James Martyn	11

Temple,	Rev^{d} Sam^{l} Webster	10
Dunbarton,	Capt. Caleb Page	10
Hopkinton,	Rev^{d} Elij^{h} Fletcher	15
Barrington,	Lt. Samuel Hayes	9
Windham,	Leut. John Dinsmore	4
Wilton,	Jonathan Martyn	3
	Jacob Abbot	18
Mason,	Amos Dakin	13
Weare,	Sam^{l} Page	13
Nottingham W.	Capt. Abraham Page	14
Lyndeborough,	Ephraim Putnam	17
New Boston,	Thomas Willson	16
Hollis,	Col. John Hale	5
	Dea. Enoch Noyce	13
	Samuel Hobart, Esq^{r}	11
Peterboro'	William Smith	8
Plymouth, Campton, Rumney, New Chester,	Abel Webster	18
Lyme,	Jonathan Childs	12
Cockermouth,	Samuel Hazelton	3
Orford,	Israel Morey Esq^{r}	18
	Nath^{l} Rogers	17
Hanover,	John Wheelock	9
Lebanon,	Nehemiah Estabrook	0
Thornton,	Matthew Thornton, Esq.	1
Plainfield,	Francis Smith	8
Westmoreland,	Joseph Wilbore	8
Fitz William,	Rev. Benj^{a} Bridgham	9
Swanzey,	Sam^{l} Hill	8
Dublin,	Joseph Greenwood	8
Keen & Surry,	Tim^{thy} Ellis	8
Clairmont	Oliver Ashley	14
Cornish,	Sam^{l} Chase, Esq^{r}	9
Packerfield,	Doc^{r} Nath^{l} Breed	18
	Eleazer Twitchell	0
Walpole,	Thomas Sparhawk	9
Winchester,	Sam^{l} Ashley Esq^{r}	10
Salisbury,	Matthew Pettingill	8
Charlestown,	William Haywood	12
Haverhill,	Capt. Eph^{m} Weston^{r}	15
Piermont,	Capt. Richard Young	13
Landaff,	Capt. Nath^{l} Hovey	4

[P. 58.] Wednesday May the 17th, P. M.

The members being call'd over & seated proceeded as follows viz,

Voted, That the Hon^{ble} Matthew Thornton Esq^{r} be President.

Voted, That Ebenezer Thompson Esq^{r} be Secretary.

Voted, That as Eben^{r} Thompson the elected Secretary is not present Sam^{l} Cutts Esq^{r} be Sec^{y} P. T.

At the desire of the Convention the Rev^{d} Mr. Stearns made a Prayer.

Voted, That those members who did not produce Certificates be allowed to set in Convention untill the adjournm^{t} & if they do not then produce them to be excluded.

Voted That the Rev^{d} Mr. Stearns, Coll^{o} Follsom, Mr. President, George Frost Esq^{r}, Mr. Wheelock, Mr. Sparhawk & the Rev^{d} Mr. Webster be a Committee to draw up rules to be observed by the members of this Convention while sitting & present them as soon as may be.

Voted That the afores^{d} Committee together with Mr. Whipple & Mr. Cutts be a Committee to report what they think necessary to be done about Establishing a Post office.

Adjourned till tomorrow 8 o'clock in the morning.

Thursday May 18th A. M.

Met according to adjournment.

Voted That the following Rules be adopted & observed by the Members of this Convention while sitting.

First. That no person speak without asking leave of, and addressing himself to the President.

2^{ndly} That no member speak while another is speaking.

[P. 59.] 3^{d}. That no Person should speak a second time upon a point if another Person who has not spoke before should desire to speak.

4th That no Member make a new motion upon a point until that which is under consideration is determined.

5th That there be silence among the other members while any one is speaking.

6th That no member absent himself more than half an hour without permission from the President.

7th That on any matter of Importance under the consideration of this Body, on the request of the Members of Ten Towns, the determination thereof shall be put off to the next day of sitting.

8th That no member speak without standing up.

A letter being rec^{d} from Hunking Wentworth Esq^{r} Chairman of a Committee at Portsmouth the same was read & ordered to Lay.

Letter from Committee of Portsmouth relating to Masts.

[Copied from "State Pap. Rev^{n}," Vol. I., p. 53.]

Sir—

A Brig from Biddeford in England arrived this day the Master of whom has just been with the Committee & acquaint them that his orders are to take on board six Masts of about sixteen Inches diameter.

We are inform'd that the ship lately built at Casco Bay (which arrived in the Harbor this Morning) is come with an intention to load Masts which are

now ready for her. The opinion of the Congress touching the Propriety of shiping the Masts is desired as soon as may be.

We have heard that part of the Troops from England arrived yesterday at Boston.

I am by order of the Com^tee
S^r your most hble Serv^t
H. WENTWORTH, Chairman.

To the President of the Provincial Congress at Exeter
Portsm^o 17^th May, 1775.

[NOTE. The date and import of the following letters and papers, indicate that they were designed for the Provincial Congress, to be convened at Exeter, the 17^th of May, 1775.—ED.]

Letter from Trueworthy Ladd with offer of Service.

[Copied from MS. State Pap. Rev^n, Vol. I., p. 39.]

Province of New Hampshire } To the Honrabel Congress setten at Exeter

Gentlemen— After my Regards to your Honour with Freedom: whereas it 'tis thought ther will be a number of Souldiers called for out of this Province for the assistance to the defence of the North of Amarica for our Privileges and liberties I would in form your Honnors that if accation should Call for a Number that I am Ready to serve your Honnors in this Government and my Country for the defence of our Privileges and the injoyment of Libity in Amarrica. If your Honnors should call for me I am ready to serve my Country with all freedom and assistance that I am capable of as I think It tis the Duty of all well wishers to Libbity and the North amarrica, wishing suckcess to libbity So I ascribe my Self your well wisher and Humbel Servient.

TRUEWORTHY LAD.

Goffestown May the 13 Day 1775.

Letter from the Town of Alstead, N. H.

[Copied from MS. State Pap. Rev., Vol. I., p. 43.]

To the Hon^ble the Deligates from the several Towns in this Province Now setting at Exeter New Hampshire.

Gent.—

We Receiv'd a Letter from the former Convention Requesting us to assist by sending a man to Represent us We should gladly have improv'd the privilege where we in a Capacity but our inability is such that we look upon ourselves not able to maintain a man to sit in Congress But have proceded so far in Town meeting Duly warn'd as to chuse a Committee to Corrispond with our sister Towns and to Draw a Letter to forward our Doings, Joining with the Town of Marlow in this Procedure which are as followeth (viz.)

Made choice of Nath^l Sartell Prentice Oliver Shepard & Simon Brooks as a Committee of Correspondence, and voted to abide by the proceedings of the Convention at the Risque of our all trusting in there wisdom and sagacity under God, that there Indeavours & Proceedings will Happily Extricate us out of the alarming Evils that we Either feal or fear which will be the constant prayer & wish of your Friends & Brethren in one Common cause.

THE INHABITANTS OF ALSTEAD.

N. B. By a vote of the Town chose Mr. Oliver Shepard to forward these our proceedings Imediately & make Return.

A coppy of y^e proceed^gs

NATH'L S. PRENTICE, T. Clerk.
in Behalf y^e Com^tee.

Alstead 15^th May, 1775.

Letter from Committee of Marlow.

[Copied from MS. State Pap. Rev., Vol. I., p. 47.]

Marlow May 15^th 1775.
in Province of New Hampshire.

We Recev'd your meshenery Letter for us to send a Deputie in our behalf to Represent us at a Congress at Exeter on the 17^th Instant to Consart the afairs of this Government as may be most Expedient to Preserve the Rights and Priveleges of this and the other Colonies After Notices we met & Considered the maters & our one [own] Surcumstances and our Poverty is such that at Present we are not abel to Seport a Deputy at said Congress but being well wishers to the continuance of our Rights and Priveleges Both Sivil and Sacred we have chosen us a Committee of Corresponds with the other Commites of the other Towns in said Province & we Do hereby aquaint you of our free & volentary will and Resolution with the hazard of our Lives and Interest to asist in the Defence of the same with our Nabouring Colonies, & we do hereby commit and Betrust the Consarting of mesurs to Proseed in to wise and Prudent Conduct under God Considering him as the alone Governor & men under him. & we hope and Trust that God will give us wisdom and understanding and strength according to the Troubels and Tryals of the Day in which we Now live, and in all things we meen to Pay our Proportion according to our ability, hoping that God will help us so to Do.

SAM^l GUSTIN
NATHAN HUNTLEY
EBER LEWIS
} The Commite of Correspond & Selectmen of Marlow.

To the Provincial Committe to be
held at Exeter in the Province
of New Hampshire.

P. S. We should be glad to be favored with what mesures are consarted by the said Congress.

Voted, That a Post office shall be Established at Portsmouth & that the Sam^l Penhallow Esq^r shall be Post Master, and that he, together with the members from Portsmouth, shall be a Committee to agree with a Post rider or riders.

Voted, That John Hale Esq^r be Impowered in behalf of this Convention to proceed Imediately to the City of Albany or any other place he thinks proper for the purpose of procuring fire arms and Gun Powder for the use of this Province, and as the scarcity of money & suddenness of the occasion hinders this Convention from supplying Coll. Hale with Cash for the said purpose, If Coll. Hale can obtain Credit for said Articles this Convention Pledges their Honour and faith to pay said Money at the time agreed by Coll. Hale & the vendor or vendors of the same.

[p. 60.] Voted, That a number of men be raised in this Province to Join in the common cause of defending our Just Rights & Liberties.

Voted That Coll. Bartlett, Capt. Whipple, Coll. Follsom, Mr. President, Rev. Mr. Webster, Rev. Mr. Stearns, Coll. Nich[s] Gilman, Capt. Page. Moses Parsons, Mr. Wheelock, Mr. Rollings, Rev. Mr. Farrar, Mr. Morey, Mr. Gregore & Coll. Ashley be a Commitee to prepare and bring into this Convention a Plan of ways & means for furnishing Troops &c.

Voted That Rev[d] Mr. Wingate, R[d] Mr. Fletcher & Mr. Sam[l] Sherburn be a Committee to prepare a Draft to be sent to the several Towns in this Province respecting disputes a[bt] Tories.

Adjourned till 8 o'clock tomorrow morning.

Fryday May 19[th]. Met according to adjournment.

The President being necessarily absent, Voted that Sam[l] Cutts Esq[r] be President Pro Tempore.

A Petition of Maj[r] Andrew McClary praying redress of sundry Grievances read & ordered to lay for consideration.(1)

A letter from Coll. John Stark requesting a Supply of fire arms for the soldiers under his command read and ordered to be put under the consideration of the Committee of Ways and means.

Colonel Stark to the New Hampshire Congress.

[Copied from MS. State Pap. Rev[n], Vol. I., p. 149.]

Medford, May 18, 1775.

Gentlemen — About the twenty-ninth of April last a Committee sent from Provincial Congress of the Province of New Hampshire to the Provincial Congress of the Province of Massachusetts Bay, having discretionary instructions from said Congress, advised to raise a Regiment from the Province of New Hampshire as soon as possible, under the Constitution or Establishment of the Massachusetts Bay; but to be deemed as part of the quota of men of the Province of New Hampshire, and that New Hampshire Congress would establish said measures. In consequence of which, a number of officers from the Province of New Hampshire conven'd, and made choice of their field officers for said Regm[t], who have raised the same, 584 of whom are now present at Medford, exclusive of drummers and fifers, and the remainder are hourly expected; and as a great number of those already here (who expected, when they enlisted, to draw arms from the Provincial stocks) are destitute of the same, and cannot be furnished, (as no arms are to be procured here at present,) must inevitably return from whence they came, unless they are supply'd from some quarter speedily; I humbly pray that you would maturely consider our defenceless situation, and adopt some measure or measures whereby they may be equipped. In confidence of your immediate compliance with the above request, I am, in the Country's common cause, your most obedient and devoted humble servant,

JOHN STARK.

(1) The petition of Andrew McClary has not been found.—Ed.

N. B. The gentleman who presents this to the Convention, can give you particular information as to our present situation.

Superscribed —" The Chairman of Prov^{l} Congress for the Province of New Hamp^{r}, now setting at Exeter."

P. M.

The Convention being informed that a Committee from the Congress of the Massachusetts Bay were waiting to deliver a message to this Convention,

Voted that Mr. President, Coll. Follsom, Coll. Bartlett, Capt. Whipple, Mr. Cutts, Mr. Stearns & Capt. McDuffee be a Comittee to wait on those Gentlemen & Introduce them into the Convention and further converse with them relative to their mission.

[P. 61.] The Hon^{ble} Joseph Gerrish Esq^{r} and Coll. Eb^{r} Sawyer a Comittee from Mass^{ts} Congress were introduced and delivered a Letter to the President from the President of their Congress, together with the Copy of an application by them made to the Continental Congress both of which are on file.

Resolves of Provincial Congress, Mass.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 45.]

In Provincial Congress, Watertown, May 16th, 1775.

Resolved That the Honorable Joseph Gerrish Esq^{r} and Coll^{o} Ebenezer Sawyer, who are by this Congress chosen a Committee to wait on the Delegates of the Colony of New Hampshire are hereby impower'd and directed to take such methods, and make such applications to the said Congress, as shall in the Judgment of said Committee, appear most conducive to the Union of the Colonies, and the most direct way to induce said Congress of New Hampshire to raise their proportion of men to defend the Colonies — And it is also Resolved, That the said Committee be furnished with a copy of the application of this Congress to the Honorable Members of the Continental Congress, which the said Committee is directed to deliver the President of the Congress of that Colony, and to do all they can to procure the approbation of that Colony to our assuming Government. and to communicate to said Congress such of the proceedings of this Congress as they shall think conducive to the good of the whole.

Jos. Warren, President P. T.

Attest, Samuel Freeman, Sec^{y}. P. T.

Application to the Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 49.]

In Provincial Congress,
Watertown May 16th 1775.

Resolved, That Doct^{r} Benjamin Church be ordered to go immediately to Philadelphia & deliver the President of the Hon^{bl} Continental Congress there now sitting the following Application to be by him communicated to the members thereof.

May it please your Honors —

That system of Colony administration which in the most firm, dutiful and loyal Manner has been in vain remonstrated against, by the representative Body of the united Colonies, seems still, unless speedily & vigorously opposed by the collected Wisdom and Force of all America, to threaten Ruin & Destruction to this Continent.

For a long time past, this Colony has by a corrupt Administration in Great Britain and here, been deprived of the Exercise of those powers of Government without which a people can be neither rich, happy or secure; the whole Continent saw the Blow pending, which if not warded off, must inevitably have subverted the Freedom & Happiness of each Colony; the principles of self Defence roused in the Breasts of Freemen by the Dread of impending Slavery caused to be collected the Wisdom of America in a Congress composed of Men who through Time, must in every Land of Freedom be revered among the most faithful assertors of the essential rights of human Nature.

This Colony was then reduced to great Difficulties, being denied the Exercise of civil government according to our Charter, or the fundamental Principles of the English Constitution. And a formidable Navy & Army (not only inimical to our Safety, but flatter'd with the Prospect of enjoying the Fruit of our Industry) were stationed for that purpose in *our Metropolis*. The Prospect of deciding the Question between our mother Country & us by the Sword, gave us the greatest pain & anxiety; but we have made all the preparation for our necessary Defence that our confused state would admit of, & as the Question equally affected our sister Colonies & us, we have declined, though urged thereto by the most pressing Necessity, to assume the Reins of civil government without their advice & consent; but have hitherto patiently born the many Difficulties and distressing Embarrassments, necessarily resulting from a Want thereof. We are now compelled to raise an army, which with the assistance of the other Colonies, we hope under the smiles of Heaven, will be able to defend us & all America from the further Butcheries & Devastation of our implacable Enemies.

But as the sword should in all free States be subservient to the civil Powers, & as it is the Duty of the Magistrate to support it for the people's necessary defence, we tremble at having an Army (although consisting of our own Country men) establish'd here without a civil power to provide for & control them.

We are happy in having an opportunity of laying our distressed state before the representative Body of the Continent & humbly hope you will favour us with your most explicit advice respecting the taking up, and exercising the Powers of civil Government, which we think absolutely necessary for the salvation of our Country; and we shall readily submit to such a General Plan as you may direct for the Colonies; or make it our great Study to establish such a Form of Government here as shall not only most promote our advantage but the union & Interest of all America.

As the Army now collecting from different Colonies is for the general Defence of the Rights of America, we would beg leave to suggest to your Consideration, the propriety of your taking the Regulation & general Direction of it, that the Operations may more effectually answer the Purposes designed.

A true Copy — Sam[l] Freeman, Sec[y], P. T.

Voted That the Selectmen of the respective Towns where the Persons Inlisted under Coll. Stark who are destitute of fire arms belong, be desired to procure the same and forward them to the Persons so destitute; and if such Towns cannot furnish them, Coll. Stark or any of the officers under him are desired to purchase the same and upon a just acc[t] thereof being rendered to this Convention it shall be allowed & paid — and Coll. Stark is desired as soon

as circumstances will permit To transmit to this Convention what shall be done in consequence of this vote, and every soldier supplied as afores[d] is required to give a Receipt for such fire-arms that he will at his dismission from the service return the same or have the value thereof deducted out of his wages.

Voted, that Mr. Enoch Poor, Capt. Ezekiel Worthen & Coll[o] Nich[s] Gilman be a Committee Immediately to fix on Carriages fit for the field Eight Cannon out of such as they think most serviceable among those that may be found for that purpose.

Adjourned till tomorrow morning 8 o'clock.

Saturday May 20th 1775, A. M.

Met according to adj[t] and came to the following Resolutions, viz:

Whereas by the late Acts of the British Parliament & conduct of the Ministers in pursuance thereof it appears very evident that a plan is laid, & now pursuing to subjugate this & the other [P. 64.] American Colonies to the most abject Slavery, And the late Hostilities committed by the British Troops in our Sister Colony of the Massachusetts Bay leaves us no doubt in determining that no other way is left us to preserve our most darling Rights and Inestimable Privileges, but by immediately defending them by arms, Reduced therefor by this most Terrible necessity, this Convention after the most solemn deliberations thereon have

1st. Resolved, That it is necessary to raise immediately Two Thousand Effective Men in this Province, Including officers & those of this Province already in the service, and that the time from their Inlistment continue to the last day of December unless the Committee of Safety should Judge it proper that a part or the whole be discharged sooner.

2ndly. That every member pledge his Honour & Estate in the name of his Constituents to pay their proportion of maintaining and paying the officers & soldiers of the above number while in their service.

3tdly. That application be made Immediately to the Continental Congress for their advice & assistance respecting means & ways to put the above Plan into Execution.

4thly. That the Establishment of officers and soldiers shall be the same as in the Massachusetts Bay.

5thly. That the Selectmen of the several Towns & Districts within this Colony be desired to furnish the soldiers who shall inlist from their respective Towns and districts with good & sufficient Blankets & render their acc[ts] to the Committee of Supplies.

6th. That if it should appear that the above number of men is not our full proportion with the other Governm[ts] that this Convention will be ready to make a proper addition for that purpose.

[P. 65.] Voted that the thanks of this Convention by given to the persons who took away and secured for the use of this Government a Quantity of Gunpowder from the Castle called William & Mary in this Province.

Voted that Coll. Thornton, Coll. Bartlett, Capt. Whipple, Coll. Follsom & Ebenezer Thompson be a Committee of Safety & that their Instructions be deferred until next week. (1)

Voted, That Coll. Nicho^{s} Gilman, Sam^{l} Cutts Esq^{r} Ichabod Rawlings Esq^{r} Mr. Timothy Walker, Jun^{r} Dr. John Gidding, Mr. Thomas Sparhawk & Coll. John Hale be a Comittee of supplies & that the giving them necessary Instructions be deferred until next week.

Voted, That Coll. Nich^{s} Gillman and Mr. Poor be a Committee to sell any Quantity of Gunpowder not exceeding four Barrels to such Frontier Towns in this Province as they think most need it.

Voted That the Rev^{d} Mr. Stearns, the Rev^{d} Mr. Webster & Mr. Josiah Moulton the 3^{d}, be a Committee to make a Draught of a Letter in answer to one Rec^{d} from the Congress of the Massachusetts Bay, — as also a Letter to the Continental Congress & lay the same before this Convention as soon as may be.

Adjourned to Monday next 3 o'clock in the afternoon.

Monday May 22^{d} 1775, P. M.

Met according to adjournment.

The President being absent, voted that Coll. Follsom be President Pro Tempore.

The Sec^{y} being absent, voted that Thomas Sparhawk be Sec^{y} Pro Tempore.

Voted That John Akerman be bro't before this Body for Examnation.

[P. 66.] Voted, That the examination of John Akerman, Benjamin Hart and John Peirce be referred to the Committees of Portsmouth, Greenland and Rye, and that if they find any thing worthy of notice they would report to this Body as soon as may be.

Voted, That John Akerman be committed to Goal and there remain until to morrow morning.

Portsmouth, 23^{d} May, 1775. This certifies that the bearer, Mr. John Folsom bro't a prisoner, viz. John Akerman from the Provincial Congress at Exeter, before the Com^{tee} of Safety for the Town of Portsm^{o}, who ordered a guard to be kept on him, till examination to morrow 10 o'clock, A. M.

NEAL MCINTYER, Sec^{y}.

Committee Hall, Tuesday,
4 o'clock, P. M.

(1) The Records of the *Committee of Safety*, are published in full, in the VIIth volume of Collections of the N. H. Hist. Society — to which the reader is referred.—ED.

Report of abovesaid Committees in Relation to John Akerman.

[Copied from MS. State Pap. Rev^{n} Vol. I., p. 173.]

Rockingham SS.

At a meeting of the Committees of Safety of the Town of Portsmouth, Greenland and Rye concerning the Examination of one John Akerman upon a suspicion of said John Akerman's being Injurious to the Liberties and Privileges of this Country, suspected to be giving and receiving Intelligences from the British Troops, for which purpose of Enquiry the said Akerman was sent from the Provincial Congress in Exeter to these Committees, And after a thorough examination of the said Akerman, Benjamin Hart and John Peirce who were represented to them by said Congress as having sent the said Akerman into the country, It appears to the said Committees that the said Akerman was sent into the country as aforesaid for Personal safety, to give intelligence of any armed men coming to Portsmouth as the Peculiar *stations* of some persons gave suspicion of some design against them, and that it was for no other end that the said Akerman was sent as appears from their particular Examinations upon oath, had Before us the said Committees, and they were accordingly dismissed.

Portsmouth, May 24th 1775.

By order of the Committee for Portsm^{o}.

H. Wentworth, Chairman.

By order of the Com^{te} for Greenland,

John Haven, Chairman.

By order of the Com^{te} for Rye,

Joseph Parson, Chairman.

Voted, That Major Sam^{l} Hobart and Mr. Enoch Poor be muster Masters for the present, and that they repair to Cambridge as soon as may be and the places thereabout in the Province of the Massachusetts Bay and Regularly Muster all the men inlisted in the several Comp^{ys} in the Regiment commanded by Coll. Stark, and that no men be accepted but those who are able Bodied Effective men, also to enquire if any other men are Enlisted by any other person or persons and Muster them if any there be & receive such only as are good effective men and Inform the officers by whom such men are Enlisted that they immediately repair to the Committee of Safety at Exeter, there to represent the matter & receive Instruction.

Voted, That it be left discretionary with the Muster Master how long men that have already inlisted into the Province service unarmed shall continue there: And that these Gentlemen are desired to make enquiries where provisions, chirurgeons, Instruments and medicine can be procured and upon what Terms; Also that they be desired to obtain the Rules of the several Committees of Safety and supplies, and further to inform the Committee of Congress that there is a Post Office Established at Exeter and to know if their Post Rider who comes to Haverhill [p. 67.] will proceed to the Post Office here, and report to the Convention as soon as may be.

Voted, That the Two Thousand men this Body have agreed to raise be Equally Divided into three Regiments.

Voted, That Coll. Fenton be desired personally to appear and inform this Body concerning the subject matter of his Letter to the People of the County of Grafton.

Adjourned till to morrow 8 o'clock, A. M.

Col. Fenton's Letter.

[Copied from MS. State Papers Rev^{n}., Vol. I., p. 167.]

Portsmouth, April 26, 1775.

To the People of the County of Grafton, from a real friend, who sincerely wishes their well-being:

For *God's* sake pay the closest attention to the sowing and planting your lands, and do as much of it as possible, not only for your own and families' subsistence, but to supply the wants of your fellow-men down country; for you may be assured that every kind of distress, in the provision way, is coming upon them.

Let nothing induce you to quit your farming business — mind no reports — there are enough without you — therefore your diligence in farming will much more serve your country than coming to assist us. Much depends on the Back settlements raising plenty of grain.

I am informed — that if the People of the Back settlements take up arms, a number of Indians & Canadians will fall upon them, but that if they remain quiet, they will not. This I inform you of from the love I bare you, and give it you as a sincere friend should do.

JOHN FENTON.

Portsm^{o}, 26th April, 1775.

Tuesday, May 23^{d}, A. M.

Voted, That the Secret^{y} prepare a list of the Delegates to keep a proper acc^{t} of their daily attendance.

Voted, That there be a post office in Exeter.

Voted, That Rev^{d} Mr. Farrar, Mr. Sparhawk and Mr. Edward Parsons be added to the Committee for preparing a Letter to the Continental Congress.

P. M.

Voted, That Coll^{o} Nath^{l} Follsom be appointed to take the general command of the men that may be raised or are already raised in this Gover^{t} for this season.

Voted, That Josiah Moulton 3^{d} be added to the Committee of Supplies.

Voted, That there be procured some suitable person to officiate as Chaplain to each Regiment in the service.

Voted, That there be a Surgeon and Surgeon's mate procured for each Regiment.

Voted, That it be left to the Committee of Safety to recom-

mend Persons they think proper for Chaplains, surgeons & surgeons mates.

Voted, That the Com^te^ of Safety procure proper forms for Enlisting soldiers, &c.

Voted, That Coll^o^ Nicholas Gilman be Treasurer & Receiver General of this Colony, and that he with Two sufficient sureties give Bond to the Hon^b^ Mathew Thornton Esq. President of this Congress & to his successor in that office for the faithful discharge of his trust.

[P. 68.] Voted, That there be raised, Levyed & paid by the Inhabitants of this Province in the same proportion as was last used in Levying & proportioning the Taxes of this Province, the sum of Three Thousand Pounds Lawful Money and paid unto Nicholas Gilman Esq^r^ of Exeter as Treasurer appointed by this Convention, by the first day of November next.

Voted, That all officers & soldiers employed in the service shall be taxed as other persons are according to their ability.

Adjourned till to morrow, nine o'clock in the morning.

New Hampshire Congress to John Sullivan and John Langdon Esquires, at Philadelphia.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 695.]

Exeter, May 23^d^, 1775.

GENTLEMEN —

Although it is painful to us to have occasion to realize the necessity of deciding by the Sword the present controversy with Great Britain, yet we trust you will know, with satisfaction that, in the fullest representative body this Province ever had, it was unanimously voted to raise a body of men for the purposes of general defence. As we conclude you have been already sufficiently apprised of the hostile conduct of the Army under General Gage, we can assure you that the whole Colony seems to be of one heart and one soul; so that even those who had been formerly inactive, are now soberly awake and active. The blood of their brethren has roused them.

We could have desired to consult a General Congress, if time had allowed, before we had taken such an important step as raising a military force. But the case seemed too plain to be doubted, and too urgent to be delayed. We have resolved to raise forthwith two thousand men. How we shall pay them, you are sensible must now be one question.

We trust, as you know the state of the Colony that you will enter into the full importance of the question. We desire you will do your utmost to forward some plan in which we may be able to discharge our engagements. We must, Gentlemen, press you on this article. The little cash we ever had, is by one means or another, almost entirely drained off. The most are ready to join, and are willing to expend one half, if they may preserve the other. Yet we seem to have no method left but borrowing, and we don't know that we can borrow, unless we issue a proper currency ourselves, or have a currency on a general plan, or can borrow in some of the other Colonies.

With regard to what is further necessary to regulate the general policy of the Colonies, you will find our situation and views, so far as we have formed any, in our enclosed letter to the Congress. You may rely upon it that it

any general regulations of the Province are thought necessary or best, we shall be ready to receive the same and govern ourselves accordingly.

Gentlemen — we commit ourselves and you, the honourable body of which you are members, and the cause of liberty and justice throughout America and the world, to the all-directing Mind, and subscribe, with much esteem, your most obedient servant.

To the Honourable John Sullivan and John Langdon, Esquires, Members for this Colony of New Hampshire in the Continental Congress.

Letter to the Continental Congress.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 696.]

Exeter, May 23, 1775.

HONOURABLE GENTLEMEN —

British America being entrusted to your wisdom, the proposal of those plans, by which, as by a pole star, it may steer in the tempest occasioned by the arrogant claims, the haughty threats, and unnatural attacks of the British Ministry, it is reasonable for you to expect, and for each Colony to choose, that whatever important step is taken by any of the Colonies, the consequence of which reaches the whole, you should receive the earliest authentick intelligence of the measure itself, together with the facts and motives leading to it, so that it may be diverted, forwarded or ripened, so as to harmonize with whatever extensive plan the great Fountain of wisdom, and Friend of justice shall inspire the guardians of our common rights.

Long has America mourned to find those she wishes to revere, adopting one plan after another to strip her of the blessings of freedom deaf to all her pleas for justice.

The Counsels of America, united in that illustrious body, the late Continental Congress we hoped, that, by denying ourselves, we should scatter the mists which hid the path of justice from the eye of Britain; but with pain we have learned that firmness is insolence, and that the most calm resolution to be free is treason in the new Ministerial language.

In spite of the gathering storm, we yet resolved, if possible, to avoid the retreat of the injured — an appeal to God by the sword; but at length plain and pressing facts constrain us to believe that our enemies mean to deny us every other; though, to our view, the thought is shaded deep in horrors.

Not long since the alarm sounded through this Colony, that the insidious foe, though continually speaking of peace, had begun a scene of bloodshed and devastation on the lives and property of our brethren in the Massachusetts.

Listening only to calls of humanity, without waiting for consultations, with all the speed of common interest and friendship, we generally run to their aid; but we come to be only witnesses as yet, of the scenes of pillage and of slaughter perpetrated by the sons of violence. The enemy were retreated. Our situation obliged us to return, not to neglect the cause, but that we might prosecute, by united and consistant counsels, with steady firmness.

As soon as convenience would allow, being directed by our brethren of this Colony to act for them in the present exigence, which seems not to allow time for consulting America at large, feeling for ourselves, our friends and our Country, we have determined to exert our utmost efforts in defence of the common cause of America, and for the present have resolved to raise the number of two thousand men (including Officers) to be employed as occasion shall require, under the regulation of this Convention, until we have the advice of the Continental Congress, to whose superintendence we choose to submit. We have, in consequence engaged to provide for the pay of the above number, until the last day of December next.

We beg leave to suggest that this will, of course, introduce a vast expense. We will not conceal that the circulating cash in this Province is very small, in but a trifling proportion as we suppose, to the necessary demand on this occasion. We ask the advice and assistance of the Congress with regard to the best method of carrying the above vote into execution. We desire to have the benefit of some general plan for bills of credit, or that we may act with the advice of the Congress in issuing such ourselves; or that we may be pointed to such other methods as shall appear just and equal, in apportioning the expense of the common cause.

Although we ardently wish that, if possible a connection may yet be preserved between Great Britain and these Colonies, founded on the invincible principles of justice, and the general principles of the British Constitution, yet we are entirely disposed to respect, and willing to submit to any plan of further uniting the Colonies, for the purpose of common security and defence.

We will not conceal that many among us are disposed to conclude, that the voice of God and Nature, to us, since the late hostile design and conduct of Great Britain, is, that we are bound to look to our whole political affairs.

We have not largely and fully consulted with one another on this article, but have only acted with the single view of the plain necessity of certain steps to be taken, to secure us from the ruin which the British Ministry have prepared for us. We trust we shall keep this alone in view until we hear the united plan of the Colonies in the General Council, which we pray and trust may be under the influence of Heaven.

By order of the Convention of the Colony of New Hampshire, I am, Gentlemen, your most humble servant,

MATTHEW THORNTON, President.

To the Honourable Members of the Congress now sitting in the City o Philadelphia.

Wedns^{y} 24th Met according to adjournment.

Voted, That the Com^{tee} of Safety recommend three persons for field officers in the Regiment now to be raised.

Voted, That it be recommended to the several Towns in this Governm^{t} to encourage manufactures in General and that of fire-arms in particular.

Voted, That there be added to the Committee of Safety one from the County of Hillsboro' one from Cheshire & one from Grafton.

Voted, That Mr. Enoch Poor be the first in Command in the second reg^{t} to be raised under Coll. Follsom, Capt. John McDuffee to be second & Capt. Joseph Cilley the third.

Voted, That Mr. Cutts, Mr. Wheelock & Mr. Walker be a Committee to Examine into the State of our late Treas^{r} Dr. Giddinge's acc^{t}.

Voted, That Isaac Morey Esq^{r} be one of the Com^{tee} of Safety.

Voted, That the Rev^{d} Mr. Sam^{l} Webster be one of the Committee of Safety.

Province of New Hamp^{r}

In Convention, May 24th 1775.

Voted, That the selectmen of the several Towns & districts within this Colony be desired to furnish the soldiers who shall Enlist from their respective Towns and districts, with gōod & sufficient Blankets & render their accounts to the Committee of Supplies.

Extract from the Journal,

Attest, E. Thompson, Sec^{y}. (1)

Voted, That Mr. James McGregory be added to the Comm^{t} of Supplies.

Voted, That the same forms for Inlisting men in the several parts be used here as in the Massachusetts Bay,— mutatis mutandis.

[p. 69.] Voted, That the Committee of Safety be Impowered to Issue orders for Inlisting men Suffic^{t} for one Regiment in the same manner as is practised in the Massachusetts Bay and receive returns of men Inlisted in the same manner as there.

Adjourned till to morrow eight o'clock in the morning.

Met according to adjournment, Thursday 25th.

Voted, That Mess^{s} Sam^{l} Sherburne, Pierce Long, Jn^{o} Dudley Esq^{r} be a Committee to bring in a draft impowering the Committee of Safety & Committee of Supplies, to act in y^{e} recess of this Congress, and also to recommend to this body some suitable person for a Commissary.

Voted, That the Rev^{d} Mr. Farrar & the Rev^{d} Mr. Sterns be added to the above mentioned Committee.

Voted, That Moses Emerson Esq^{r} be Commissary for the Army.

Voted, That the Congress sett by adjournm^{t} from day to day till the Return of the Committee from Cambridge.

Letter from Moses Emerson, Esq.

[Copied from MS. State Pap., Rev^{n}, Vol. I., p. 179.]

Durham, 25th May, 1775.

Gentn. —

I this moment receiv'd the vote of the Hon^{ble} Congress — am very sensible of the Honor done me in appointing me Commissary of the Army. The thing is sudden, but upon the little Reflection the time permits, am determin'd to accept your Favour & hope I shall be able to discharge the Trust & Confidence reposed in me.

In haste I am

Gent^{n} your oblig'd Hum^{b} Serv^{t}

Moses Emerson.

Hon^{ble} Matthew Thornton Esq^{r}
President of the Congress.

(1) The above is copied from MS. State Pap. Rev'n., Vol. I., p. 171.—Ed.

May 26th.

Met according to adjournment.

Voted, The following Instructions to the Committee of Safety: That the Committee of Safety be impowered & directed in the recess of the Congress, to take under their consideration all matters in which the welfare of this Province in the security of their Rights shall be concerned, except the appointment of the Field Officers, and take the utmost care that the Publick sustain no damage, & that they act in the following manner:

1st That they see to it, that whatever plans have been determen'd upon by the Congress, to be immediately carried into Execution, which have not been entrusted to the management of any particular Persons or Committee, shall be executed by such persons & in such ways as the Committee shall Judge best.

2d If any exigence not provided for by the Congress, requires immediate attention, such as marching Troops raised to repel an [p. 70.] invasion in any part, or directing the motions of the Militia within the Province, or without the Province, with their own consent for the same purpose, or make use of any special advantage for securing military stores, or securing any important Post, or preventing our Enemies from securing advantageous Posts, they shall immediately take the most prudent and effectual method to accomplish the above & similar purposes.

3d That they be & hereby are impower'd & directed to apply to the Committee of Supplies for the necessary Stores, Provisions &c. for the effectual carrying the aforesaid Instructions into Execution.

Voted, That a copy of Colo Fenton's letters, which have been read in Congress, also a copy of a letter from the Congress to Colo Fenton, be sent to the Towns of Portsmo, Greenland & Rye.

Adjourned to 3 o'clock, p. m.

Copy of a Letter to Col. Fenton.

[Copied from MS. State Pap., Revn, Vol I., p. 163.]

Sir —

A Letter with your signature, directed to the People of the County of Grafton, has been laid before this Congress — the contents of which they consider as of some importance at this day — more particularly the Information you give them that "a No. of Indians and Canadians will fall upon them if they should take up arms, but if they remain quiet, they will not." We are anxious for the security of our Friends in the Frontier settlements as well as else where—could we rely upon this it would afford us the gr"est ease and pleasure — this Congress, therefore express their desire that you appear, as soon as possible and inform yu respecting the grounds of the aforementioned intelligence.

[No date.]

Col. Fenton's Answer to the foregoing letter.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 165.]

To the Provincial Congress at Exeter

Gentlemen — I this moment rec^{d} your letter of 23^{d} instant. I do assure you, Gentlemen, I mentioned the matter respecting the Indians coming down on our Frontiers, in my letter to the People of the County of Grafton, as a matter of opinion only — nor have I the least clue or circumstance to guide me in that sentiment but *sincere opinion.*

I am Gentlemen your most obedient
& very h^{bl} Servant

JOHN FENTON.

Ports^{o} 23^{d} May 1775.

P. S. I wrote *that* letter to the People of the County of Grafton out of absolute Friendship & Regard to the country.

Massachusetts' Resolves relating to Post Offices and enlisting New Hampshire men.

[Copied from MS. State Pap., Rev^{n}, Vol. I., p. 175.]

In Provincial Congress, Watertown, May 26, 1775.

It having been represented to this Congress that it would be agreeable to the Inhabitants of the Colony of New Hampshire that the Post rider on the Road from Cambridge to Haverhill should extend his route to the Town of Exeter to meet the post rider from Portsmouth to that place, and a Post-office being appointed at Exeter by the Inhabitants of New Hampshire:

Resolved, That the Rout of the post Rider from Cambridge be extended to said Exeter so long as it shall be found to be Expedient, or until the Massachusetts or New Hampshire Congresses, or future houses of Representatives shall otherwise order.

J. WARREN, Pres^{t}. P. T.

In Provincial Congress, Watertown, May 26, 1775.

It having been Represented to this Congress by the Delegates from the Congress of the Colony of New Hampshire that it would not be agreeable to the Inhabitants of New Hampshire, that officers belonging to that Colony, should take orders under this Colony to raise Men in that Colony for the common Defence,

Resolved, That if any such officers should appear for that purpose, no Encouragement shall be given to them under this Colony to raise Men to be paid by, or such officers to be commissioned in, the Pay of this Colony.

J. WARREN, Pres^{t}. P. T.

May 26th. P. M.

Met according to adjournment.

Voted, That a Company not exceeding 60 men in the North westerly parts of this Colony be forthwith enlisted, to be ready to act as occation may require; That at Present a small party of

them not exceeding 10 men at a time be employed to guard the passes and gain Intelligence; and that those only that are in actual service shall be under pay, & that the inlis^{s} and further directing them be referred to the Committee of Safety.

[P. 71.] Voted, That the Committee of Supplies be Impow^{d} & directed to furnish the Commissary with whatever Military Stores & Provisions the Committee of Safety shall think necessary, and that they & each of them be impowered to take up such stores &c. on the faith of this Colony on the best terms & from such persons as they can procure them:

And also that they or the Major part of them be impowered to Borrow on the faith of this Colony any sum not exceeding ten Thousand Pounds L M as the Committee find necessary to answer the directions from the Comm^{t} of Safety. And this Convention for themselves & Constituents plight their faith and Estates to said Committee of supplies as their Boudmen to all intents & purposes for the payment of whatever sum they hire or Borrow in consequence of this vote.

Adjourned to Wednesday next 10 o'clock, A. M.

Letter from Col. Stark to the N. H. Congress.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 739.]

Medford, May 29, 1775.

Gentlemen: Yours of the 26th instant I have received (1) and note the contents; and as to the firearms for the use of the Regiment under my command, the greatest part of those who were destitute when I wrote to you, are since furnished, and I am informed by the officers of the several Companies, that the remainder will be equipped very shortly; so I flatter myself that this difficulty (as to my Regiment) will soon be surmounted, yet, as to the manner of procuring them, whether by the respective Towns to which they belong, or by individuals, I cannot at present inform you, as no account has yet come to hand. But I would still beg leave to entreat you to take some further notice of the Army. And, in the first place, consider that a great part of the Regiment or Army here, are destitute of Blankets, and cannot be supplied by their Towns, and are very much exposed; some of whom for the want thereof, are much indisposed, and thereby rendered unfit for duty. Secondly, that we are in very great want of money, and that neither officers nor soldiers can subsist much longer, without some, by any means. And this, I am well assured of, (from daily complaints which are made to me) that unless you by some means, advance some money to the army directly (as there is no room in my mind to doubt that there is a very considerable sum in the Province belonging thereto,) they will certainly return, for they cannot nor will not continue. I would also recommend to your consideration the necessity of a sutler or sutlers for the benefit of the Army; and if it should be thought necessary that there should be such, and if one cannot be found in that Province who will undertake to supply the Army upon reasonable terms, I know of a gentleman in this Province that would gladly embrace the opportunity, if applied to. I would likewise be glad there might

(1) The letter of the Congress 26th inst. to Col. Stark has not been found. — Ed.

be a chest of medicine procured for the Regiment, and forwarded, as it is wanted very much, and also armourer's tools.

According to your request, I have transmitted to the Committee of Safety a regimental return of the men who have enlisted under me into the service of the Province of New Hampshire, and who expect to be paid therefrom.

Your compliance with the above will greatly oblige yours, in the common cause,

JOHN STARK.

Letters from Joseph Warren, Esq., to the Provincial Congress of New Hampshire.

[Copied from MS. State Pap. Rev^{n}, Vol. I., pp. 189–191.]

Gentlemen —

We received your favour of the 23^{d} Instant, wherein you inform us of your Determination to raise immediately 2000 Men for the common defence of America. It gives us the greatest Pleasure & Satisfaction to observe the present concordant temper & Disposition so prevalent throughout the several Colonies in support of their common Rights Such a remarkable unanimity under the smiles of a kind Providence can scarcely fail of succeeding to the utmost of our sanguine wishes; We trust, gentlemen, our cause is just & right; and that to submit to the vassalage & Slavery of an unconscionable Administration, would not only be ignominious but highly derogatory to the Spirit & Resentment of free & loyal Americans; and altho' the Horrors & Devastations of War are highly deprecated by us, yet pressing Necessity urges to the utmost of our Exertions in the Preservation of everything dear to us (even Life itself) by a resolute opposition to our unwearied & unnatural Enemies. We therefore earnestly request you, gentlemen, to forward with all speed those Troops you are raising in order to co-operate with us against the common enemy. Hoping, under the divine Protection, to convince even the British Parliament of their unreasonable, rash & inconsiderate Proceedings, against a most injured & cruelly oppressed People,

We are, Gentlemen, with sincere affection your most obedient humble servants.

Pr order. JOSEPH WARREN, Pres^{t} P. T.

[No date.]

In Provincial Congress, Watertown, May 29, 1775.

Resolved, That the following Letter be immediately sent to the Provincial Congress of New Hampshire.

GENTLEMEN —

Inclosed are copies of Governor Trumbal's Letter to this Congress, inclosing a Resolution of the Continental Congress respecting the Fortress at Ticonderoga, Crown Point, &c. and the Resolution of the General Committee of Association of New York thereon, and a Letter from the Continental Delegates of New York to their Assembly.

The Measure taken by the Continental Congress if carried into execution, will in our humble opinion affect these Colonies East of Hudson's River, in the highest Degree. By that you will see that all the Lands and Waters between the South End of Lake George and Crown Point, together with all Lake Champlain, will be left open for Canadians & Savages (if they should be disposed) to ravage all the country East and distress all our New Settlements.

We have addressed the Continental Congress upon the necessity of keeping a Fortress at or near Ticonderoga, and have also most pressingly desired the Colony of Connecticut to exert themselves to effect the maintaining such a Fortress. We have also wrote to New York upon the matter.

We now lay the same advice before you, that you may have opportunity to take such measures as you shall think proper.

As your Colony is so deeply affected, you will, from a concern for that, and a general Regard to the common safety, which you have appeared at all times to have, we trust take the matter up, and by decent and respectful addresses to the Continental Congress, endeavour to prevail with them to alter a measure so dangerous in its effects.

We are, Gentlemen,
Your most obedient & very humⁱ servants

JOS. WARREN, Prestᵗ P. T.

Attest, Samⁱ Freeman, Secʸ P. T.

Letter from Gov. Trumbull of Connecticut, above referred to.

[Copied from MS. State Pap. Revᵘ, Vol. I., p. 177.]

Hartford, May 25th, 1775.

GENTLEMEN —

Your Letter of the seventeenth Instant with the inclosed resolve of the Provincial Congress of Massachusetts Bay was delivered to me by Colº Easton, and communicated to the General Assembly, who have desired me to return their congratulations on the reduction of Ticonderoga, a Fortress truly important, and to assure you they entertain a proper sense of the merit of those officers and soldiers by whose bravery and good conduct it was achieved. (1) As this advantage was gained by the united counsels and enterprise of a number of private Gentlemen in your province, New Hampshire, New York and this Colony, prompted only by a zeal for the Liberty of their country without publick authority (to our knowledge) and is of great and general importance to the United Colonies, it was thought best to take the advice of the Continental Congress upon the manner of treating it in future, both by the General Assembly of this Colony and the Committee of New York as well as by you. Dispatches were accordingly sent to Philadelphia, and the Resolution of the Continental Congress thereupon hath been received this day by Express, with a letter from the Committee of New York, copies of which inclosed are herewith sent you.

By them you will see the present custody of that fortress is committed to the Province of New York, with the assistance of the New England Colonies if needed. The General Assembly of this Colony behold your situation with concern and a fixed resolution to contribute everything in their power to

(1) This bold and daring enterprise was conducted chiefly by Col. Ethan Allen, with his "Green Mountain Boys." The account, in brief, is as follows: About forty volunteers set out from Connecticut toward Bennington, where the projectors of the expedition had proposed to meet Colonel Allen, whom they intended to conduct the enterprise, and to raise, among the hardy mountaineers, the men necessary to execute it. Col. Allen met them at Castleton with about two hundred and thirty men. There also they were joined by Col. Benedict Arnold. Proceeding on the enterprise, they reached Lake Champlain, opposite Ticonderoga, on the 9th of May. Allen and Arnold crossed over the lake in boats, with eighty-three men, and effected a landing near the fort without being discovered. Allen led his men to the attack. After a slight resistance, the commander of the fort, De la Place, was required to surrender. "By what authority?" he asked. "I demand it," said Allen, "*in the name of the Great Jehovah and of the Continental Congress!*" Some accounts add: "and in the name of Ethan Allen." This extraordinary summons was instantly obeyed, and the fort, with its valuable stores and forty-nine prisoners, was surrendered. There were between 112 and 120 iron cannon, from 6 to 24-pounders; 50 swivels, with large quantities of small arms, flints, powder and provisions.— ED.

to your defence and preservation, and as far as pertains to them are willing and desirous you should have the benefit of such Artillery as may be spared from the fortresses of Crown Point and Ticonderoga; but as they do not consider themselves as entitled to the Command of those places they cannot take upon themselves to give orders for the removal of the heavy cannon that may be spared without the concurrence of the other Colonies interested in them.

The necessity of securing and maintaining the Posts on the Lakes for defence of Frontiers, becomes daily more evident from the reiterated intelligence we receive of the plan formed by our enemies to distress us by inroads of Canadians and Savages from the Province of Quebeck, upon the adjacent settlements, the inclosed copy of a letter from our delegates attending at New York to communicate measures with the Provincial Congress in that city, throws an additional light on this subject, and is thought worthy to be communicated to you; and whilst the designs of our enemies against us fill us with concern, we cannot omit to observe the smiles of Province upon us in revealing their wicked plans, and hitherto prospering the attempt of the Colonies to frustrate them, with a humble reliance on the continuance of divine favor and protection in a cause of the Justice of which a doubt cannot be entertained. The General Assembly of this Colony are ready to co-operate with the other Colonies in every exertion for their common defence, and to contribute their proportion of men and other necessarys for maintaining the posts on the Frontiers or defending or repelling invasions in other quarters agreeable to the advice of the Continental Congress.

I am, Gentlemen,
In behalf of the Hon^{bl} Congress
of this Colony,
Your most odedient, hum^{bl} serv^{t}

JONATHAN TRUMBULL.

Provincial Congress
Watertown, May 29, 1775. } A true copy,

Sam^{l} Freeman, Sec^{y} P. T.

Letter from Connecticut Committee, at New York.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 161.]

New York, May 23^{d}, 1775.

SR —

We arrived in this City last Evening, and now have the satisfaction to inform you that the Committee of New York have complied with the direction of the Continental Congress as to furnishing our Forces at Ticonderoga with Provisions. The Provincial Convention of this province are now sitting but have not yet got through the business of examining Certificates, &c. We have not therefore as yet laid our appointment before them. We have had a personal conference with Mr. Price, an eminent English merchant of Montreal, who is sent by the English Merchants of that place Express to the Continental Congress with intelligence of a most interesting Nature — he informs us that all the French officers of Canada are now in actual pay under Gen^{l} Carlton; That Lt. Luke La Corn who was superintendant of all the Indians in Canada whilst it was in the hand of the French and is Father-in-law of Mr. Camubell who is superintendant under his Majesty, has sent Belts to Northern Tribes as far as the Falls of St. Mary and Maschilimackinalk to engage them to take up arms against the New England Colonies, but the event of that Embassy is not yet known; that a similar application had been made to the tribes nearer to the Frontiers of the English settlements, but with little success, as not more than fourty Indians could be

found that would engage in the measures; that the plan of opperations in Canada is to procure the savages to joyn with the Canadians in Hostilities against the Rebels of New England.

Mr. Price gives it as his opinion that the Canadians (viz.) the Plebeans will not, but with the utmost reluctance engage against the Colonists, but that the noblesse are our bitter Enemies; he also says, that Gen[l] Charlton was expected at Mountreal in a day or two after he left that place which was the II[d] (1) May Instant and that he was to take up his Residence there for this summer. We are now about to take up lodgings in the heart of the City where we shall have an opportunity of conversing with the citizens and learn their true Spirit. The Provincial Convention of New Jersey meet this day. We propose to wait on them some time this week.

We can at present give you no just account of the state of the cause of Liberty in this City, but hope from the little information we have already had, that there will not be so general a Defection as was apprehended.

We are, with due Respect
Your most obedient humble serv[ts]

NATHANIEL WALES jun.
(Signed) THADDEUS BURR
PIERPONT EDWARDS.

To the Hon[ble] William Williams, Esq.
Speaker of the House of Assembly,
Connecticutt.

A true copy &c.
Sam[l] Freeman, Sec[y] P. T. Prov. Cong. Mass[a].

Resolution of Continental Congress, referred to.

[Copied from MS. State Pap. Rev[n], Vol. I., p. 155.]

In Congress, Thursday May 18, 1775.

Whereas, there is indubitable evidence that a Design is formed by the British ministry of making a cruel invasion from the Province of Quebec upon these Colonies for the purpose of destroying our lives and Liberties, & some steps have actually been taken to carry the said design into Execution; and whereas several Inhabitants of the Northern Colonies residing in the vicinage of Ticonderoga immediately exposed to Incursions, impelled by a just Regard for the Defence & preservation of themselves and their countrymen from such imminent Dangers & Calamities have taken Possession of that Post in which was lodged a Quantity of Cannon & military stores that would certainly have [been] used in the intended Invasion of these Colonies, this Congress earnestly recommend it to the Committees of the Cities & Counties of New York and Albany immediately to cause the said cannon and stores to be removed from Ticonderoga to the south end of Lake George, and if necessary to apply to the Colonies of New Hampshire, Massachusetts Bay and Connecticut for such an additional Body of Forces as will be sufficient to establish a strong Post at that place effectually to secure the said Cannon and stores or so many of them as it may be judged proper to keep there; and that an exact Inventory be taken of all such Cannon and Stores in order that they may be safely returned when the restoration of the former Harmony between Great Britain and the Colonies (so ardently wished by the latter) shall render it prudent and consistent with the overruling Law of Self-preservation.

A true copy from the Minutes,
CHARLES THOMPSON, Sec[ry].

New York, 20 May, 1775.

In Provincial Congress, a true copy.
Rob[t] Benson, Sec[y].

(1) Perhaps this is meant for the 11th. — ED.

Condition of New Hampshire, as represented by their delegates to the Continental Congress, May 27, 1775.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 725.]

The Delegates from New Hampshire beg leave to inform the Committee, that two of the principal Towns in that Colony, viz. Portsmouth and New Castle, are situate on Piscataqua River, near the entrance of the harbour, and are much exposed to Naval attacks; that those Towns are about five miles distance from each other, Portsmouth, the capital, lying farthest up the river, and not quite so much exposed as New Castle, which lies at the entrance, defended only by a fort capable of mounting about thirty pieces of Cannon, in the rampart; but the fortifications are extremely weak. That to defend the entrance of the harbour against a naval force, would be extremely difficult, if not impracticable: that batteries might be erected between those Towns, which, with booms, chains, &c. might possibly secure Portsmouth from such attack; that to defend the pass, and secure the retreat of the inhabitants, will require at least fifteen hundred men. But as they have a well regulated Militia in that neighborhood, which may suddenly be called together for that purpose, they are of opinion there will be no necessity of enlisting men at the Continental expense, especially as the Militia will readily agree to serve in turn for the defence of those places.

They beg leave further to inform the Committee, that there are sixteen Regiments of Foot and two of Horse in that Colony, the Foot amounting in the whole to upwards of sixteen thousand effective men, tolerably well provided with arms and ammunition; That the number of the Horse is uncertain, and those but ill provided; that great numbers of their Foot soldiers have been in actual service; and that out of those they are ready to raise and send to serve in Massachusetts, so many as the Committee shall choose to order; that the number of their Inhabitants are very uncertain, as persons are continually emigrating from other Colonies, and settling in that more than in an any other of the Northern Colonies; that the persons thus emigrating are extremely poor, for which reason the wealth of the Province bears no proportion to the number of Inhabitants.

With respect to the amount of their Exports and Imports, no accurate account can be given, as the officers of the Customs have long since refused to suffer the books to be inspected.

Recantation of Ebenezer Loverin.

Kensington, N. H. May 27, 1775.

Whereas I have offended the community in times past by refusing to equip myself with arms and ammunition, and by my opposition to military orders, for which I am sorry: I hereby engage to equip myself according to orders, and be ready to take up arms in defence of my Country, in the present contest between Great Britain and the Colonies.

Wednesday, May 31st, 1775.

Met according to adjournment.

Voted, That the Division of the two Thousand men Raised & to be raised in this Colony into Regiments & Companys be referred to the Comtee of Safety for them to report their opinion to the Congress as soon as may be. Adjourned to three o'clock P. M.

Met according to adjournment.

The Committee of safety reported as their opinion, That the Two Thousand men be divided into Three Regiments, and each Regiment into Ten Companys, as equally as can conveniently be done.

Voted, That the foregoing Report be received and that the Regiments and Companys be divided accordingly.

Voted, That Coll. John Stark *be sent for, that he is desired to attend this Congress and give account of his conduct, relative to the army, to this Congress as soon as may be, in order that the same may be properly commiss*[d].

NOTE BY THE EDITOR.

[The above vote is mutilated and crossed in the original record; and is wholly omitted in the copy made by the late John Farmer, Esq. (p. 57). For what reason, or by whose authority the record is mutilated, the editor has no opinion to express; the following correspondence apparently grew out of some action of the Congress.]

Letter to General Ward.

EXETER, May 31st, 1775.

SIR—

In order to commission the officers belonging to the New Hampshire Regiments, the Congress have thought it absolutely necessary that Col° Stark should appear before them; therefore should take it as a favr that you'l grant him leave for that purpose,

To his Excellency General Ward.

Indorsed "Letter to General Ward, 1775, 31 May."

New Hampshire Congress to Col. Stark.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 868.]

Exeter, May 31, 1775.

SIR

As some difficulties have arisen in settling the Regiment under your command, the Congress, as you will see by the enclosed vote, have thought proper that you should immediately, without loss of time, repair to this Town, to receive their orders, and give a more particular account of the state of the Troops under your care.

To Colonel John Stark, Esq.

[P. 72.] Voted, That the Inlisting of men in this Colony by persons belonging to any other, is a wrong Measure & ought to be discouraged.

A petition being read, signed by twelve persons, praying that James Read, Esqr might not be Commissioned in the army as he had heretofore shown himself Enimical to the Libertys of his

Country: and no person appearing to prove or enforce the Petition,

Voted, That it be dismissed.

Voted, That the thanks of this Congress be given to the party, who this day have removed Sundry Cannon from the sea-coast in this Colony to the town of Portsmouth & to Dr. Hall Jackson in particular for assisting in the matter & bringing us the Intelligence.

Voted, That Majr Hobart be Muster Master to muster Capt. Adams's Company, (1)

Adjourned till to-morrow, 8 o'clock.

Letter from Meshech Weare, Esq., on guarding the Sea Coast.

[Copied from MS. State Pap. Revn, Vol. I., p. 199.]

To the Provincial Congress for the Province of New Hampshire, convened at Exeter, May 31st, 1775.

Gentlemen —

As you have now under your consideration the Important affair of Raising troops and appointing them to Proper Stations as well for the safety and defence of this Province as for promoting the Common Cause at this Critical and allarming season, we doubt not but you will kindly Receive intimations from any number of Persons of things which appear to them of great Importance, — We therefore beg Leave to Represent that from frequent alarms we have had and from authentic advise from General Ward that a Number of armed Cutters are sailed from Boston for what design is unknown — we apprehend it to be absolutely necessary that a proper proportion of the Troops to be Raised in this Province be immediately assign'd for the Defence of our Sea Costs and permit us to suggest that if a proper number of Troops for this purpose were order'd to be raised in the Towns near the Sea Costs it would greatly facilitate the Raising the men immeadiately and be a great help for procuring immediate supplys and we conceive will be much more service to the common cause than sending our men Elsewhere. It will also be a great Discouragement to men Inlisting to be sent to a Distance at the same time that they Leave their friends and substance Exposed by their absence when they themselves might be more advantageously Imployed for their Defence.

We therefore Pray that a proper Quota of men may be assign'd and officers for Inlisting them for this service as soon as may be which we submit to your wisdom and Determination.

To the President of the Provincial Congress.

At the request of many Persons who Represent to me that the general mind of People in the towns near ye sea cost is as above represented and that much uneasiness is in their minds untill some Provision be made for their Defence, I subscribe on their behalf to save the time of collecting great Number of subscribers.

Meshech Weare.

(1) Capt. Winslow Adams was of Durham. He was a brave man; in 1776, made a Major and in 1777, a Lieut. Col. in Col. Reid's regiment. He was mortally wounded in the battle of Stillwater, 1777. See Letter from him, Am. Ar., 4 Ser., Vol. II., p. 869. — Ed.

Letter to the Committee of Correspondence at Hampton.

[Copied from MS. State Pap. Rev^n., Vol. I., p. 195.]

Manchester [Mass.] May 30th, 1775.

Gentlemen —

A letter has been just received from Cambridge by Express from Gen^l Ward to the Comm^tee for Salem, of which we subjoin a copy; as no particulars appear we think it prudent to notify you thereabouts & Inform you that there are Eight Tenders Cruising around us Six of which are gone to Salem, their Decks filled with Boats &c. We desire you to forward the report to Ipswich as it is uncertain where the mischief will fall.

By order of the Comm^te of Correspondence for
Manchester.

The following is a Copy of the General's Letter.

Head Quarters, Cambridge, 29th May, 1775.

S^r — By information just receiv'd from Boston, I apprehend the Enemy intend to make an attack somewhere this night, therefore would have your people in readiness to act on the shortest notice, if there should be occasion.

I am, &c.

ARTIMAS WARD.

Capt. Marston sent the above to the Committee for Chebacco about 1-2 after 10 o'clock.

Ipswich, May 30th 1775.

GENTLEMEN — I received the within Intiligence about one of the clock this day & thought proper to let you know what I have receiv'd.

To the Committee of Correspondence in Newbury Port.

JOHN BAKER, Col^o.

Newbury Port, 30th May 1775.
1-2 past 4 o'clock.

GENTLEMEN — Having just receiv'd the above Information from Ipswich by Express, we forward it to you without delay.

To the Committee of Correspondence of Hampton
Pr order of y^e Com^tee

B. GREENLEAF.

Thursday, 1st of June, 1775.

Voted, That two companys, as soon as they can be properly muster'd & Equipt be sent to guard the sea coast for the present.

Voted, That the two Companys first equipt & muster'd be sent to guard the sea coast.

Voted that there be three field officers appointed for each Regiment Exclusive of the General officers.

The complaint of Joseph Kielle against Maj^r Hobart read & consider'd. Voted that the Petition or Compl^t be dismissed.

Joseph Kelley's Petition.

[Copied from Am. Ar., 4th Ser., Vol. II., p. 878.]

To the Honourable Committee of Safety and Gentlemen of the Congress now sitting at Exeter, in and for the Province of New Hampshire.

The Petition of JOSEPH KELLEY, of Nottingham West, in said Province, humbly sheweth:

That your petitioner has, by order from the Committee of Safety at Cambridge, raised a number of men for the preservation of the liberties of America, and has been at some considerable expense in providing arms and fitting them for said service; some of which men are now at Medford, some at Cambridge, and the others wait for orders when and where to march: That your petitioner verily thought he was serving God and his country in so doing; notwithstanding Major Hubbert told your petitioner we were not looked upon as friends by this Congress, for no other reason that your petitioner knows of, than only because the soldiers at Cambridge refused to be mustered by said Hubbert, as they said they well knew him to be an enemy to the common cause;— which your petitioner had no other hand in than to persuade the soldiers to be easy and not to treat the said Hubbert ill, and to tell him the minds of the people, and prevent any disorder in the camp. Your petitioner prays the men may be taken into the service of this Province, and put under some officers who they shall cheerfully agree to go under, or that they may not be restrained of their liberty of joining with any other Province, when they are willing to serve their Country to the utmost of their power in the common cause; which is the prayer of, gentlemen, your hearty and sincere well-wisher.

JOSEPH KELLEY.

June 1, 1775.

Voted, That Major Hobart be Impowered to administer the same oath to soldiers in the common service as has been taken in the Massachusetts service.

Voted, That James Reed Esq^{r} be appointed Coll^{o} of a Regiment.

Voted, That Israel Gilman Esq^{r} be Lt. Col^{o} of Col^{o} Reed's Reg^{t}.

Voted, That Nathan Hale be major of the afores^{d} Reg^{t}.

[P. 73.] Whereas in y^{e} course of the present disputes, it may be necessary to Import on y^{e} Risque of the Colony a Quantity of Military Stores,

Resolved, That y^{e} Comm^{t} of Supplies be and hereby are impowered & directed to import or cause to be Imported from any place whatever such & so many stores afores^{d} not exceeding the value of three Thousand Pounds L. M. & y^{e} same to risque at their discretion with, or without making Insurance on y^{e} vessels or cargoes which may be so employed, sent out or imported.

Voted, That the Committee of Safety be Impowered to give out Enlisting orders to Ten persons to enlist each a Compa^{y} of sixty-two soldiers (Including Comm^{d} officers to make a Regiment to be under the command of Coll^{o} James Reed. (For further minutes of this day look to June 7th.)

Adjourned till tomorrow morning 8 o'clock.

Friday, 2d June, 1775. Met according to adjournment.

Voted, That the Committee of Supplies be desired to apply and obtain the Quantity & Quality of the Powder, bro't from the Fort Wm. & Mary, also take it into their possession, and lay the State of it before the Committee of Safety.

Adjourned till 3 o'clock.

An Address to the Inhabitants of this Colony, Voted & is on file.

P. M.

Voted, An Address to the Congress of New York respecting the Fort at Ticond[a] and on sending men upon the Frontiers:

ditto to y[e] Congress at Watertown respecting the same.

ditto to y[e] Colony of Conn[t] respecting the same.

ditto to y[e] Continental Congress respecting y[e] removal of the Fort at Ticond[a] &c. &c.

ditto to our Delegates, Jn[o] Sullivan & Jn[o] Langdon Esq[rs] respect[g] the same, &c. Copies of all which on file.

Address to the inhabitants of New Hampshire.

[Copied from Farm. & Moore's Hist. Coll., Vol. I., p. 88.]

In Provincial Congress

Exeter, June 2d, 1775.

To the Inhabitants of the Colony of New Hampshire,

Friends and Brethren — You must all be sensible that the affairs of America have at length come to a very affecting and alarming crisis. The *Horrors* and *Distresses* of a *civil war*, which, till of late, we only had in contemplation, we now find ourselves obliged to realize. Painful, beyond expression, have been those scenes of Blood and *Devastation* which the barbarous cruelty of British troops have placed before our eyes. Duty to GOD, to ourselves, to Posterity — enforced *by the cries of slaughtered Innocents*, have urged us to take up Arms in our Defence. Such a day as this was never before known, either to us or to our Fathers. You will give us leave therefore, — in whom you have reposed special confidence, — as your representative body, to suggest a few things, which call for the serious attention of every one, who has the true interest of America at heart. We would therefore recommend to the Colony at large, to cultivate that Christian Union, Harmony and tender affection which is the only foundation upon which our invaluable privileges can rest, with any security; or our publick measures be pursued with the least prospect of success.

We also recommend that a strict and inviolable regard be paid to the wise and judicious councils of the late American CONGRESS; and particularly, considering that the experience of almost every day points out to us the danger arising from the collection and movements of bodies of men, who, notwithstanding, we willingly hope would promote the common cause, and serve the interest of their country; yet are in danger of pursuing a track, which may cross the *general plan*, and so disconcert those publick measures, which we view as of the greatest importance; We must, in the most express and urgent terms, recommend it, that there may be no movements of this nature, but by the direction of the *Committees* of the respective Towns or Counties; and those *Committees* at the same time, advising with this *Con-*

gress, or with the *Committee of Safety*, in the recess of Congress, where the exigence of the case is not plainly too pressing to leave room for such advice.

We further recommend, that the most industrious attention be paid to the cultivation of *Lands* and *American Manufactures*, in their various branches — especially the *Linen* and *Woolen;* and that the husbandry might be particularly managed with a view thereto — accordingly that the Farmer raise *Flax*, and increase his *flock of sheep*, to the extent of his ability.

We further recommend a serious and steady regard to the rules of *temperance*, *sobriety* and *righteousness*, and that those Laws which have heretofore been our security and defence from the hand of violence, may still answer all their former valuable purposes, though persons of vicious and corrupt minds would willingly take advantage from our present situation.

In a word — We seriously and earnestly recommend the practice of that pure and undefiled *religion* which embalmed the memory of our pious ancestors, as that alone, upon which we can build a solid hope and confidence in the *Divine protection* and *favour*, without whose *blessing*, all the measures of safety we have, or can propose will end in our shame and disappointment.

MATTHEW THORNTON, President.

Address to the New York Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 209.]

Exeter, N. H., June 3, 1775.

GENT.

I am directed by the Provincial Congress now convened in this Town to advise you that the Resolution of the Continental Congress respecting the Demolition of the fortress of Ticonderoga is just come to hand that we have taken the same into consideration, and as we Esteem that to be at a place truly important to the welfare of all these Northern Colonies in General & to this Colony in particular, the thoughts of its Demolition casts a Damp on the spirits of our People, as we apprehend our western frontiers will be thereby greatly exposed to the Depredations of the Canadians & Indians, if (as we have reason to fear) they should incline to annoy us; and not being acquainted with the Reasons for passing that order we have thought it our Duty to Entreat that Respectable Body again to take that matter into their consideration, and (if they shall think proper) to order that the said fortress may be kept in possession of the Colonies, and we would earnestly entreat your concurrence with us in said request. At the same time you may be assured that no Colony on this Continent are or can be more Determined than we are to abide by the Determination of that Respectable Body.

In behalf of the Provincial Congress aforesaid, I am, Gentlemen, your most obedient humble servant,

MATTHEW THORNTON, President.

To the President of the Congress at New York. (1)

By an inclosed Resolve of this Body you will perceive we are providing against any attempts from Canada on our adjacent frontier. We earnestly desire your approbation of this measure & concurrence with it by adding such numbers of Troops from your Colony as in your Wisdom & concern for the general good you may think proper.

M. T.

(1) See Am. Ar., 4 Ser., Vol II., p. 895.

Letter to the Massachusetts Congress.

[Copied from MS. State Pap, Rev^{n}, Vol. II., pp. 41, 42.]

Gentlemen — Having undoubted intelligence of the attempts of the British Ministry to engage the Canadians & Savages in their interest in the present Controversy with America, & of actual movements in Canada in consequence thereof, we have tho't it necessary that measures should be immediately taken to defend & quiet the minds of the People more especially expos'd in the Frontiers & accordingly have resolv'd to send a number of troops as soon as may be; Three Companies for the present, where & in such manner as may best answer that important end: We tho't it expedient to give you the earliest intelligence of what we have done in this way, earnestly praying & nothing doubting but that you will concur in such measures as in your wisdom you shall judge reasonable & necessary for the defence & safety of the back settlements, for whom both we & you must sensibly feel.

We furthermore think it suitable just to suggest that as we have some apprehensions lest our military manœuvres in the frontier Countries should raise a jealousy in the minds of the Canadians & awaken their fears of direct intentions of hostilities against them, We should give them the most positive assurance upon this head. That we desire nothing more than our own security & that it is our most hearty wish to remain in steady terms of Friendship with them.

And in order to the more regular, harmonious & effectual Prosecution of the important object afores^{d} as also other valuable purposes that we conceive it may answer, we would humbly move for a Conference by a Com^{tee} with a Committee from you at such time & place as you shall be Pleas'd to appoint. That, therefore, if you should think proper, you would prepare an Address to be forwarded to the Canadians, & put it in the power of this Congress, & if it might be, the other New England Colonies together with New York, to join with you therein: that this Negotiation might answer the most effectual purpose.

To the Hon^{bl} Congress at Watertown in y^{e} Colony of Massachusetts.

[No date.]

Letter to the Continental Congress.(1)

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 213.]

Exeter, New Hampshire, June 2, 1775.

Gentlemen — A late order of your very respectable Congress for the Demolition of the Fortress at Ticonderoga & removal of the artillery from thence, has very much Dampened the Expectation of the People in this Colony arising from the security our Frontiers hoped to receive by the Check the Canadians & Savages might receive in any Incursions on us, by a good garrison there. We are heartily disposed to and shall readily obey all the orders and directions you give us, and on this occasion wou'd not presume to complain or dictate, but most Humbly to suggest that all the Lands and Waters between the South End of Lake George and Crown Point, together with all Lake Champlain will be left open for Canadians & Savages (if they should be disposed, which we very much fear) to ravage all the Country East. Our new Settlements extended on Connecticut River for an Hundred miles are very defenceless in every respect and under Terrible apprehensions from the accts of the warlike Preparations mak^{g} in Canada against the Colonys. The Reasons which directed your order in this matter we are unacquainted with,

(1) The letter to the Connecticut Colony has not been found.—Ed.

but would wish a Review thereof, & if you should then think it best that the former order be countermanded we hope it will be a service to the common cause, otherwise shall concur in your Determination of that as well as other matters that concern the welfare of America.

In behalf of the Provincial Congress aforesaid
I am, Gentlemen, your most obedient humble servant

MATTHEW THORTON, President.

To the Honourable Continental Congress. (1)

New Hampshire Congress to their Delegates in the Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 215.]

Gentlemen —

Inclosed we send you an Address to your Congress, relating to their order for the Demolition of the Fort at Ticonderoga; the taking that Garrison by the Colonists and hopes of keeping it, has very much encouraged the Frontiers of this & the neig^{s} Colonys. The continual accounts received from Canada by scouts sent from our frontiers & otherwise keep them under the most Terible apprehensions of being ravaged by the Canadians & Indians. The late determination of your Congress has much increased it, as the destroying that Fortress leaves such an opening to the Excurtions of our Enemies. We desire your vigilance in a critical review of that matter. Our Circumstances appear daily more & more alarming. The men-of-war stop all provision vessels coming into our Harbour and send them to Boston, & the Captain of the Scarboro' has shown his orders to a Committee who waited on him, to stop all provision, salt, molasses &c. coming to us, since which several Hundred arm'd men in the day time went down to the entrance of our Harbour in open sight of the men-of-War & Bro't from a Point of land there a number of large Cannon & deposited them at Portsmouth for the present where preparations are making for mounting and fitting them for action. A number of men are now making a Battery on Kittery Point and if we had a suffic^{y} of Ammunition shou'd hope to be able to command our Harbour. We would desire you, if any arms or Gun Powder can be procured in the Southern Governments to procure them if possible on such Terms as you can make, with which the Colony will endeavor punctually to comply. The Difficulty of Land carriage we would surmount as the want thereof must exclude every other Difficulty. We have wrote to you on the pressing occasion we have of a Paper currency or some other to answer our urgent necessitys; and still must desire that you do all in your power that some Plan be formed or directions given us by your Congress for that purpose. Inclosed we send you a Copy of a vote of Council relative to stopping Provis^{n} &c. We would have you endeavor to keep a constant Correspondence with the Congress or Committee of Safety at Exeter, and inform us of everything you think essential.

In behalf of the Provincial Congress.

MATTHEW THORNTON, President.

(1) Compare Am. Ar., 4 Ser., Vol. II., p. 895.—ED.

Letter from Provincial Congress of Massachusetts.

[Copied from MS. State Pap., Rev^{n}., Vol. I., p. 205.]

In Provincial Congress,

Watertown, June 1st, 1775.

Gentn. —

We send you inclosed a Copy of a letter from Col^{o} Arnold, commander of the Troops at Ticonderoga and Crown Point, together with a copy of a Letter from the Speaker of the House of Representatives for the Colony of Connecticut, by which you will be acquainted with the present situation of those Fortresses, and the measures necessary to be taken for securing and defending so valuable acquisitions. You will doubtless agree with us in sentiment, that it is a matter of the greatest importance that those places remain in our possession in order to secure our frontiers from the depredations of our Enemies, if they should attempt to attack us from that quarter, of which there appears to be great danger. It was the agreement of this Colony, that 400 men and £100 in money should be raised for the reduction of the place, and it is our determination to contribute our full proportion towards securing the acquisition. By the letter from the Speaker of the House of Representatives for Connecticut you will find that that Colony have voted to send immediately to their assistance four Companys and 500w^{t} of Powder, and we suppose that the Troops are upon their march there — and we most earnestly request that you would contribute your endeavours likewise, for the speedy and effectual security of the aforementioned places, which the Importance of the affair and the ready disposition which you have discovered for the defence of the common cause, leaves us no room to doubt of your compliance therewith.

Jos. Warren, President.

Attest, Sam^{l} Freeman, Sec^{y}.

To the Provincial Congress
of New Hampshire.

Reasons for Demolishing the Fort at Ticonderoga — Letter from Jno. Sullivan and John Langdon, Esqs.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 157.]

Philadelphia, May 22^{d}, 1775.

Gent —

We take this early opportunity of Inform^{g} you by Capt. Partridge that the Congress upon hearing of the Forts at Ticonderoga & Crown Point being seized by the people of New England to prevent General Carlton with his Canadians & Indians taking possession of them to annoy our Frontiers, & finding by about Thirty Indian Chiefs now in Philadelphia as well as by persons sent to sound the Dispositions of the several Indian Nations that such a Design is Really on foot & that Guy Johnson the Superintendent for Indian affairs has Really Endeavoured to persuade the Indians to enter into a war with us & that many other steps have been taken by a bloody minded & cruel ministry to induce those Hereditary Enemies of America to fall upon & Butcher its Inhabitants; we say upon those things appearing to the Congress, they have ordered the above Forts to be Demolished & the warlike Stores to be removed & another Fort erected & maintained at the Lowest part of Lake George, if the Committee of New York shall think it necessary, & to call upon all the New England governments to give assistance if Required by New York. We earnestly entreat you for the Honor of the Province, if such a requisition is made to give them every possible assistance to preserve our People from the Invasions of a barbarous & Savage Enemy. We are sorry, Gentlemen, that Honor will not permit us to give you the least

information respecting our proceedings: We can only say, That all the Colonies are firmly united & are preparing for the worst. We hope that you will in Imitation of the other Colonies proceed to choose your officers & Establish your Militia upon the new Plan which has been adopted by every Colony upon the Continent. We shall bring with us Governor Wentworth's Letters to Lord Dartmouth for 12 months past that you may Judge whether he is your friend as he pretends, or whether he is not rather your Inveterate Enemy.

Gentlemen, we are with great respect
Your most obed^{t} serv^{ts}

Jn^{o} Sullivian
John Langdon.

P. S. We earnestly Entreat you to prevent our General Court from making an application to great Britain for Redress of Grievances, as that would Draw the Resentment of all America upon our Province, it being agreed that no one shall make terms without the advice & consent of the whole.

Y^{rs} as above,

Jn^{o} Sullivan
John Langdon.

To the Provincial Committee of New Hampshire.

Committee of Portsmouth to the New Hampshire Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 211.]

Gent'n —

As the preservation of the peace and good order of the Town, is the only security that this Committee have, whereby they expect to carry into execution any measures which the Provincial Congress may resolve upon, Therefore find ourselves necessitated to desire that you would be pleased to Regulate all future movements of any Bodies of armed men from one Town to another as many inconveniences and losses to the Publick are sustained thereby, especially at this time, when so many Idle & false Reports are spread, by which the good People of this Province are allarmed and assemble togeather for the defence of the Grand Cause, in which we are all embarked. We are fearful our Enemies will improve every opportunity to increase these alarms and make them so familiar to us, as to put us off our guard, and then may strike some fatal blow.

We find this town labours under many difficulties peculiar to sea-ports, and which our friends in the Country are freed from,— The Stagnation of Trade and the Returns of our shipping, increases the number of our People, who for want of employment, do too readily fall into disorders, and when numbers are once collected, it is very difficult to persuade them to disperse, untill they exceed the bounds of Reason. We have great Reason to believe that our Invaders are endeavouring to promote alarms, to harrass the country & to prevent our Agriculture, by calling off and diverting our attention to that great and at this time particularly necessary Duty. Any resolves which the Congress may pass upon our request, it is desired that copies of the same be sent to every Committee in every Town, besides being published in the public prints, as it is necessary it should be known in the most publick manner as soon as possible. We submit our request to your Wisdom & are wishing you divine assistance in your consultation for the Public weal.

By order of the Committee
I am, gent^{n} your most h'ble serv^{t}

H. Wentworth, Chairman.

Portsm^{o} 2^{d} June 1775.

To the Provincial Congress at Exeter.

[p. 74.] June 3d, 1775.

Voted That John Stark be the Colo of the first Regimt, that Isaac Wyman be Lieut. Coll of the Same Regimt, that Andrw McClary be Majr of sd Regimt.

Voted That Thursday fortnight be recommended as a Day of Fasting & Prayer in this Colony, and that the Revd———

Voted That General Folsom, as Brigadier General and Chief Comander of the New Hampshire forces under the commander in chief of the New England Army be allowed the same wages as a Brigadier General shall in the Massachusetts service both as General & Commander of a Regiment while in actual service, and that he have no particular Regiment of his own but equally command all the New Hampshire Forces. And that Ten Companys of the Regiment of 62 men each, now at Medford in the Province of the Masts be the first or oldest Regiment.

Whereas at the particular desire of the People on the Western Frontiers of this Colony a vote was passed by this Congress the 26th Inst. to raise a Company of 60 men under such direction & Restrictions as is therein expressed: And at their special request it is now tho't necessary to alter that Establishment and augment the number:—

Therefore Voted, That a Company of 60 men be raised of the Inhabitants of said Frontiers to be commissioned by the Committee of Safety, and that they and Two Companys out of the Two Thousand men Raised in this Colony be Stationed as soon as the Committee of Supplies procure stores for them, By the Committee of Safety on said Frontiers, & remain until further orders.

Letter from Charles Johnston to the New Hampshire Congress.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 869.]

To the Provincial Congress now convened at Exeter.

Gentlemen — We hereby inform you that we sent a scouting party towards Canada, which party returned on Saturday last, by whom we have the following information:

They give us to understand, that, by the best information that could be got, there is a body of Indians now lying on the west side of the Lake Champlain nearly opposite to the mouth of Onion river, What the particular number of them is, we cannot certainly determine: but by the best information, not less than four or five hundred. And furthermore, that the day before the scouting party left the mouth of Onion River, they were informed there were ten Canoes of Indians from Canada, who joined said party. And moreover that Governor Carlton, of Quebeck, is enlisting men in Canada; and also, he has sent to those tribes of Indians whom General Montcalm had with him at the reduction of fort William and Henry. The same party give account of the taking of Ticonderoga and Crown Point by our parties of the southern Government.

Now, Gentlemen, as to the situation of these parts, How near the borders of the enemy we are, every one knows who is acquainted with the boundaries

of our own Province. As to the position of defence, we are in difficult circumstances; we are in want of both arms and ammunition. There is but very little, or none worth mentioning, perhaps one pound of powder to twenty men, according to calculation, and not the one half of our men have arms. Now, gentlemen, we have all reason to suspect, and really look upon ourselves in imminent danger of the enemy, and at this time in no capacity for a defence, for want of arms and ammunition. And, moreover, we have not a sufficient number of men to defend these our frontiers, without some assistance from the lower Towns, which assistance, Gentlemen, we humbly conceive, should necessarily be here, in order to act upon the first alarm.

We, Gentlemen, refer the matter to your mature consideration, whether it is not necessary to give us assistance, that we may be ready in case of invasion. We have Gentlemen, a number of men in these parts of the Country, who have not any real estate, who will certainly leave us, unless some assistance be given: and who are ready to assist, and stand by our cause with their lives, provided encouragement be given them.

If, Gentlemen, you shall think it necessary to raise forces to defend this our Province, if you will give orders in what manner assistance can be procured, please to inform us as expeditiously as the nature of things will allow. There is no doubt of enlisting numbers, without distressing or much interfering with the lower Towns near the sea-coasts, provided we have the platform to act upon.

We are, Gentlemen, with all due respect, your humble servants,

In behalf: CHAS. JOHNSTON.

Clerk to the Committee of the Northern Regiment in the County of Grafton.

Town meeting in Conway, N. H.

[Copied from MS. State Pap. Rev^{n}., Vol. I., p. 217.]

At a legal meeting, held by the Inhabitants of Conway on the fifth of June, 1775, the following votes were past.

Voted Coll^{o} Andrew McMullin, Thomas Merrill, Esq. Capt. Timothy Walker, Capt. David Page, Lieut. James Osgood, Ens. Joshua Heath, to be a Committee to act in behalf of the town in any matter Respecting the Present time of Difficulty.

Voted, That the town will aid and assist the above Committee that is chosen in behalf of the town, to Preserve the Peace and order of it whenever the Committee shall judge occasion.

Voted, That this Committee be fully impowered to enquire touching any obnoxious Person who may flee to this town for an asylum, and they shall judge whether it is Expedient for any such refugee to reside here or depart from it. And any inhabitant of this town who shall be obnoxious shall be only accountible to the Committee for their conduct.

Voted, that no other Parson but the Committee shall consarn with any such Refugees; but if any parson shall know of any such obnoxious parson comeing into town the earliest notice thereof be given the Committee.

Voted, That the Committee be impowered to call before them, on proper Evidence to pass upon any inhabitants of the town who shall dare to transgress any of the Preceeding votes or in any manner to Disturb the Peace of the town.

Voted, That the Committee shall make application to the Congress of this Colony for arms and ammunition that is wanting in this town and for men for a scouting gard for our safety.

RICHARD EASTMAN, Town Clerk.

Monday June 5th 1775.

Met according to adjournmt 3 o'clock, P. M. But few members present adjourned till to morrow 8 o'clock.

Tuesday June 6th. Met according to adjournment.

[p. 75.] Voted that all officers & soldiers of the New Hampr army now raising for the defence & Security of the Rights & Liberties of this & our Sister Colonies in America, shall every one repeat and take the followg oath viz.

I. A. B. Swear. I will truly & faithfully serve in the New Hampr Troops to which I belong for the defence and security of the Estates, Lives and Liberties of the good People of this & the sister Colonies in America, in opposition to ministerial Tyranny by wch they are or may be oppressed, & to all other Enemies & opposers whatsoever, & that I will adhere to the Rules & Regulations of sd army, observe & obey the Genl & other officers set over me, & disclose and make known to sd officers all Fractious Conspiracies, attempts & designs whatsoever, which I shall know to be made against sd army, or any of the English American Colonies.

SO HELP ME GOD.

Voted to raise one artillery Company to be at Portsmo.

Voted That the Committee of Safety look out & Commission the best men they can find, as officers for the sd artillery compy.

Adjourned till 3 o'clock.

P. M.

Whereas a vote passed yr 3d Inst. respecting Genl Folsom's wages and that of Rankr Colo Stark's Regimt, Voted That that part of sd vote wch respects sd Genl Folsom's wages, be reconsidered; and instead thereof Voted, That Genl Folsom as chief Comandr of the New Hampr forces under the Commander in chief of the New England Forces, be allow'd the wages of a Colo of a Regmt and such other allowances as this Convention may think proper hereafter.

[p. 76.] June 6, 1775.

Voted That Capt. Elkan's Company be for the present placed upon the sea-coast.

Voted, That the Artillery Company consist of 65 men including officers — to be at Portsmo.

Voted, That yc Committee of Safety appoint Muster Masters.

Adjourned till 8 o'clock tomorrow.

Declaration of John Prentice.

[Copied from Am. Ar. 4 Ser., Vol. II., p. 921.]

Whereas, I, the subscriber, was so unfortunate sometime since, as to sign an address to the late governour Hutchinson, so universally and so justly deemed an enemy to American liberty and freedom, I hereby, in this publick manner declare, that at the time I signed the said address, I intended the good of my country and that only; but finding to my sorrow, it had not that but quite a contrary effect, I hereby renounce the said Address in every part, and hope my injured and affronted fellow countrymen will overlook my past misconduct, as I am ready to assist them in their struggles for liberty and freedom, in whatever way I shall be called upon by them.

JOHN PRENTICE.

Londonderry, N. H., June 6, 1775.

Wens'day June 7th.

Met according to adjournment.

Voted That every transaction which this Convention think expedient, should be kept as a profound secret, — We do hereby solemnly promise & oblige ourselves, strictly to conform too, & not communicate upon any pretence whatsoever, unless by leave of Congress.

The following Resolve was passed the first of June but omitted to be entered then.

Resolved, That the Committee of Portsmouth together with Capt. Ezekiel Worthen be desired to provide a number of Fascines and also to procure propper Carriages for those guns removed from Jerry's Point, and also such other materials, as they may think necessary for erecting a Battery to hinder the passage of ships up to the Town, and also, that they Endeavor (if it can be done with secresy & safety) to get what shot may be at the Fort at New-Castle, and that all those matters be done with the utmost secresy the Business will allow of, And then determine upon some suitable place for a Battery where the materials when compleated may suddenly be removed to.

[P. 77.] Whereas his Excellency the governor of this Colony in calling a General Assembly to meet at Portsmouth in Febr last required three new Towns that had never sent members before to elect Persons to represent them in said Assembly and as said Assembly are to set by adjournment on the 12th Inst., This Congress are of opinion that the Governor's Assuming the Right of sending to such new Towns as he thinks fit without concurrence, of the other Branches of the Legislature is unconstitutional & subversive of the rights and Privileges of the good People of this Colony, and the Establishing such a precedent may leave room for some designing Governor to occasion a very partial Representation of the People by sending to small Towns and omitting large ones, with many other evils:

Therefore do Resolve further, that it is the opinion of this Congress that the Persons called & Elected as aforesaid ought not to be allowed a seat in the House of Representatives of this Colony.

Adjourned till 8 o'clock tomorrow.

June 8th.

Met according to adjournment.

Voted, An Address to the Inhabitants of y^e^ Colony, sent to the Press, respecting Lenity by Creditors to their Debtors. (1)

Col^o^ Hale return'd, got no Powder or small arms, but gives us great encouragement, that we shall have some soon from the Southern Colonies, & that Powder is made at Philadelphia in such Q'tities that 200 lbs. is made in a day, & that provisions are plenty and cheap in Conn^t^ & that Q'ties are now transporting to Cambridge &c. Adjourned till 3 o'clock.

Letter respecting Powder from Nath'l Shaw.

[Copied from MS. State Pap. Rev^n^, Vol. I., p. 207.]

New London, June 2^d^, 1775.

Gentlemen —

The bearer Mr. Jn^o^ Hale apply'd to me for a Quantity of Powder for the use of your Province, but am sorry to inform you, that article is very scarce in this Colony and not to be purchas'd; what I have imported is on Government acc^ts^ and by letters from N. York that I have lately Received, am very certain its not to be had in that Province, Neither in Rhode Island.

I expect a large Quantity, but from its not arriving, I begin to suspect, that either the Crusers in the Channel or the Negotiation between Great Britain & the States has prevented it. If I should have a larger Quantity arive than should be wanted in this Colony on Government acc^t^. I will give you the offer of it, but att the same time I would Recomend to you, that you make no Dependance on having from me.

I am, Gentlemen, your very h'ble serv^t^

NATH^l^ SHAW, jun^r^.

Matthew Thornton, Presid^t^
of the Provincial Convention
New Hampshire.

Voted that Capt. Page & Col^o^ Stark from Dunbarton, have a hearing before this Convention the 2^d^ day of sett^s^ after adjournm^t^ for any time longer than from Saturday till Monday.

Voted, That the sum of fifty Pounds be paid by the Treas^r^ of this Colony to any inhabitant of s^d^ Colony, who shall manufacture the largest Qu'ty of Salt Petre, not less than one hundred [P. 78.] weight, within one year from this day; also the sum of

(1) See under date June 10th, 1775. — ED.

six pence per lb. for every lb. above Ten Pounds (excepting that person who receives the bounty of 50£) manufactured by any person within s^d^ Colony in the s^d^ year & that the Committee of Supplies be directed & impowered to examine any Qu'ty offered & to draw on the Treasurer agreeable to this Resolve or some other Com^rs^ who shall be particularly impowered for this purpose.

Voted, Whereas a number of the Towns in this Colony have not yet paid into y^e^ hands of Geo. Jaffrey Esq^r^ their Prov. Tax, Resolved that the Coll^rs^ & Constab^s^ of s^d^ Towns be and hereby are directed to pay said money into the hands of Col^o^ Nich^s^ Gilman Receiver General for the Colony of New Hamp^r^, who is authorized to Receive & give Rec^ts^ for the same.

Voted, That Deacon Sam^l^ Brooks be post master for this Town.

Adjourned till 8 o'clock tomorrow.

In Provincial Congress, Exeter, June 8, 1775. (1)

Whereas the present alarming & very critical situation of this Colony has occasioned this Congress to raise a number of soldiers to defend the same, and the extreme scarcity of money in the Colony makes it very difficult to raise sufficiency for supplying said soldiers, and as there is a considerable sum in the Treasury of this Colony raised on the Polls & Estates of the Inhabitants thereof, It is Resolved that Ich^d^ Rollings Esq^r^ Col. Bartlet, Eb^n^ Thompson, Mr. Scilley, Maj^r^ Welch, David Gilman & Capt. Evans be a Committee in the name of this Congress to call upon the Hon. Geo. Jaffrey Esq^r^ for the Balance due from him to the Colony as Treasurer afores^d^ and that they receive from him said money & give him such security as shall be sufficient for justifying his payment of the same, which they are hereby Impowered to do and are authorized to assure said Treas^r^ that the Exigence of the Colony is such that no excuse or delay of the same can be admitted, and make return of your doings.

Letter from Col. James Reed.

[Copied from MS. State Pap. Rev^n^, Vol. I., p. 221.]

Fitz William, June the 8, 1775.

Honrad Sir —

I Bag Leve to Trobel you with one word in faver of the Barer Capt. Colburn — that is to inform that he is one of the Siners of the paper of a greement to Rase a Regiment under my Comand and Sir as my Regiment is fit'd up with out him and as I had in Corigement that any officer that had got men should be taken Notis of in the next Regiment and Sir as Capt. Colburn

(1) This is copied from MS. State Pap. Rev'n. Vol. I., p. 219.—Ed.

hath been an old officer in the Last war which he is abel to give an acount for himself, I should Take it as a favor if your Honors the Committee would favor him in the next Regiment as a Major if a greeabel to your Honours at the same time would bag leve to subscribe myself your Honors obliged and ever Humbel servant at comand.

JAMES REED.

Indorsed — "Col. Reed's
Letter in favour of Major Colburn
June 8th, 1775.

Letters from Thos. Hart to the Provincial Congress at Exeter.

[Copied from MS. State Pap. Revn, Vol. I., p. 223.]

Portsmo June 8th 1775.

SIR —

A mail containing a Quantity of Letters were last night sent from on board the Man of War to Eleazer Russell Esq. in whose hands they now remain. Mr. King waits on the Congress to request their determination on the matter & will give them what further information they require. We must intreat Mr. King may return to town this night as the People will be impatient for their Letters.

I am by order of the Committee
Sir, yr most h'ble Servant

THOS. HART, Chairman, P. T.

To the President of the
Provincial Congress at Exeter.

[Copied from MS. State Pap. Revn, Vol. I., p. 227.]

Portsmo June 9th 1775.

SIR —

Capt. Pearne waits on the Congress with a Petition which he has communicated to this Committee. We beg leave to acquaint the Congress that the Facts set forth in said Petition are true, and as Capt Pearne is brought into this situation by no imprudence or ill intention of his own, We doubt not the Wisdom of the Congress will be exerted to relieve him from his present distress. We the more earnestly wish for this as Capt. Pearne is a Gentn whose every action proves him a real Friend to his Country.

I am, by order of the Comtee
Sir, your most h'ble Servant,

THOS. HART, Chairman, P. T.

To the President of the
Provincial Congress at Exeter.

Address of the New Hampshire Congress to Governor Wentworth.

[Copied from MS. State Pap. Revn, Vol. I., p. 225.]

May it Please your Excellency —

Governour Gage, in a letter to the Earl of Dartmouth, dated 27th January, 1775, informed the British Ministry that your Excellency had applied to him for two Regiments of the British Troops, to be stationed at Portsmouth; and as it evidently appears, at this alarming period, that the British Troops are ministerial tools, sent to America to endeavor to enforce unconstitutional and tyrannical Acts of the British Parliament, by fire, sword, and famine, and as we humbly conceive it is your Excellency's duty, in your official ca-

pacity, to guard and defend the lives, liberty, and properties of the inhabitants of this Province, your Excellency sending for Troops to destroy the lives, liberties, and properties you have solemnly engaged to defend and protect, conveys to our minds such shocking ideas, that we shall rejoice to find what is represented to be fact in said letter, to be farce. But as we have such information, duty to ourselves and constituents, obliges us humbly to desire your Excellenny to give us such evidence as will enable us to know and inform our constituents what to expect.

We are, &c. &c.

In Congress at Exeter the 8th of June, 1775.

Voted that the President sign the above & that it be presented to his Excellency Governor Wentworth.

MATTHEW THORNTON, Presidt.

June 9th.

Met according to adjournmt.

Voted that Ebr Thompson Esqr & Colle Nichs Gilman be a Committee to procure the plates & see ye Notes struck off.

Adjourned to 3 o'clock.

Met according to adjournment.

Resolved, That the Receiver General of this Colony, appointed by this Congress be hereby impower'd to give his Notes of hand on the faith of the Colony, payble to the Possessor for the sum of ten thousand & fifty pounds of the present currency or Lawfull money to be paid into the Treasury afores^{d} by a Tax on the Polls & Estates of the Inhabitants of this Colony in the following manner, viz.

Two Thousand pounds to be paid by the 20th Decr wch will be in the year of our Lord 1776, and six pr cent Intt from the date, and the sum of three thousand pounds the 20th Decr 1777, and three thousand and fifty pounds the 20th Decr 1778, and the said Notes shall be struck by Copper plates, to be graved under the [p. 79.] direction of this Congress, for the several sums following, to compleat said sum of Ten thousand & fifty Pounds, viz. Six Thousand Pounds in forty shilling Notes, Three Thousand Pounds in Twenty shilling Notes, nine hundred pounds in six shilling notes, and one hundred & fifty pounds in one shilling notes: & the form of said Notes shall be in the following words (with such other devices as may be ordered by the Congress,) viz.

Colony of New Hampr } No. June 8th 1775.

The possessors of this Note shall be entitled to Receive out of the Treasury of this Colony the sum of . . . . shillings Lawfull money on the 20th December 177 . . . with interest at the rate of six pr Cent pr Annum, and this Note shall be Received in all payments at the Treasury at any time, after this date hereof for the principal sum without Intt if so paid before the said 20 day of December.

N. G.

A. D. 177
E. T.

And the Treasurer or Committee who shall number the same shall fill the blank left for time of payment on a number of Bills sufficient to compleat 4000 with the figure 6, & a number to compleat 3000 with the figure 7, & the remainder with the figure 8, and the same when Bro' unto s[d] Receiver Gen[l] & paid by him, shall after the time fix'd for paym[t], be burnt to ashes in y[e] presence of the Congress.

3000	'40*s* is	6000
3000	20*s* is	3000
3000	6*s* is	900
3000	1*s* is	150
		10,050 L. M[y].

Adjourned to 8 o'clock tomorrow.

June 10. Met according to adjournment[r].

Voted That all Bills of Credit on the faith of the Colony of the Massachusetts Bay have a free currency in this Colony of New Hampshire.

[P. 80.] Voted That the President of the Congress be impowewer'd to sign any papers in the Recess of the Congress w[ch] 'tis necessary should be signed by him as President & in particular the Commissioners to all officers appointed for the army belonging to this Colony.

Voted, That one months wages be paid to all the officers & soldiers in the service of this Colony, as soon as may be, and that Prior thereto the paymaster admin[r] to each of the s[d] officers & oldiers the oath appointed by this Congress.

Voted That Geo. Frost Esq[r] be one of the Committee with Eben[r] Thompson Esq[r]. instead of Col[o] Nich[s] Gilman to procure the Plates, see the money struck off, signed & deliver'd to the Receiver Gen[l].

Address respecting lenity to Debtors, &c.

This Body having taken into consideration the great stagnation of trade and the difficulty to which their constituents are reduced by the unhappy dispute with Great Britain as to the turning either their Real or personal Estates into Cash, think it necessary to recommend for the present all possible lenity & forbearance in Creditors towards those who may stand indebted to them, and that they avoid multiplying suits at Law & Especially the carrying them to such length as the Levying Execution on Real Estate, which must in this case (in our apprehension) be sold much below their Real value. We must particularly recommend this lenity & forbearance in Reference to such who have or may engage as officers & Soldiers in the defence of the invaded rights & Liberties of America; and we further recommend to Debtors all possible care and endeavor to discharge to the utmost of their power all demands upon them.

Adjourned to the 27[th] Inst.

CORRESPONDENCE.

NOTE BY THE EDITOR.

Before the meeting of the Provincial Congress again, at Exeter, the battle of Bunker Hill occurred, and other important events intervened, which are here set down in order. The letters and public documents which follow are mostly copied from MS. State Papers, Rev^{n}, Vol. I., pp. 229–259.

[Copied from MS. State Pap., Rev^{n}, Vol I., p. 287.]

IN CONTINENTAL CONGRESS,

Philadelphia, June 10th 1775.

SIR —

By order of the Congress I transmit you the enclosed resolutions pass'd by the congress this morning. The necessity of the present emergency requires a speedy compliance with the first respecting the supply of powder to the army, and I need not inform you that the nature of the service requires it to be done with as much secrecy as possible. If there are any supplies of powder to be purchased in your Colony you will readily see the propriety of engaging it for for the use of the Continental army and informing the General of the army thereof, as well as, Sir,

Your most obed hum^{bl} servant

JOHN HANCOCK, President.

I am also Directed by the Congress to Request you will please transmitt to them as soon as may be an Estimate of the Powder, Arms & Ammunition in your Colony including private as well as publick stocks.

Your most hum^{bl} ser^{t}

JOHN HANCOCK, President.

To the Presid^{t} of the Provincial Congress
or Committee of the Colony of New
Hampshire.

In [Continental] Congress, June 10, 1775.

The Congress earnestly recommend to the several Colonies of New Hampshire, Rhode-Island, and Connecticut and the internal towns of Massachusetts bay, that they immediately furnish the American army before Boston with as much powder out of their town and other public stocks, as they can possibly spare, keeping an exact account of the quantities supplyed that it may be again replaced, or paid for by the Continent — this to be effected with the utmost secrecy and dispatch.

A true copy from the Minutes.

That it be recommended to the Committees of the several towns and districts in the Colonies of Massachusetts bay, New Hampshire, Rhode-Island, Connecticut, New York, and eastern division of New Jersey, to collect all the salt-Petre and Brimstone in their several towns and districts and transmit the same with all possible dispatch to the provincial Congress of New York.

That it be recommended to the Provincial Congress of New York to have the powder mills in that Colony put into such a condition as immediately to manufacture into Powder for the use of the continent whatever materials may be procured in the manner above directed.

Resolved, That it be recommended to the several inhabitants of the Colonies who are possessed of Salt Petre and sulphur for their own use, to dispose of them for the purpose of manufacturing Gunpowder.

Resolved, That the Salt Petre and sulphur to be collected in consequence of the resolves of Congress for that purpose, be paid for out of the Continental fund.

A true copy from the Minutes.

Chas Thompson, Secy

[MS. State Pap. Revn, Vol. I., p. 233.]

Conway, June ye 10th 1775.

Sir —

Last munday we had a town meeting, a coppy of the same will be shown you by Mr. Burbank one of our Committee, and as he is not acquainted with any of the Congress, we have Recommended him to you, and hope you will Direct and assist him in the business he is sent upon. Sir, it is needless to mention anything concerning our situation in the frontiers of this Province, for it is well known to you and most part of those gentlemen appointed and chose for the Congress; but although we are at such a distance from you we are willing to do everything in our power in suport of the common cause, but under our present situation we are neither able to Defend ourselves or assist you if there should be occasion, for reasons which we shall mention: In the first place there is a Number of our men inlisted and gon into the service, we think about fourteen or fifteen from this town, the most part of those who are left has no provision to suport themselves and family, but what they must bring from some seaport, and but very few has any money to purchase; and not more than half of the town has goot any arms; and those who have goot arms has scarcely any ammunition; therefore as Mr. Burbank and myself is apointed to make aplication for armes and ammunition we thought as you were Chearman to make our first aplication to you; and are confident you will do what you can that he may have such warlike stores as he wants, if they are to be had, or to assist and advise him what steps to take so that he may be provided; and that he may be Dispatched back as soon as possible; for we have Reason to be suspicious of the Indians, and were we able would keep a scout in the woods Daily to Discover their motions; but without the assistance of the Province, of our selves we are not able; for there is so many of our young men inlisted that all the men that are left is not sufficient to carry on our farming; Therefore we shall be under a necessity of asking or petitioning the Congress for some men to be employed as a scouting party to guard this Quarter of the frontiers but we are afread these matters will be ommitted untill it is too late: We shall esteem it as a favor if the Congress will give us Directions what to do or what steps to take for we are fully Determined to adhear strickly to all orders that may come from the Congress. We expected to been called upon to send a member to the Congress but suppose our being at such a distance caused us to be forgot. I shall come down as soon as Burbank returns. Any armes or ammunition that we want we are ready to make over our Estates for security; but as to money at present we have none. In hopes Sir you will direct and assist us all you can. I subscribe myselfe

your most obedient Humble
Servt, by order,

Andw McMillan.

Signed in behalf of the town
and Committee.

To Col. Matthew Thornton.

An exact Liste of all the Men in Conway that is able to Bear arms from Sixteen and upwards, June ye 10, 1775.

[Copied from Revol^{y} Papers in Sec^{ys} office, p. 267.]

Capt. David Page
Lieut. James Osgood
Ens^{n} Joshua Heath
Benjamin Osgood
Thomas Merrill, jun.
John Webster
William Knox
W. Ezackel Walker
W. Amos Thomson
Joseph Colbie
Enoch Webster
Eben^{r} Burbank
W. William Abott
Josiah Dollife
William Dollife
John Dollife, jun.
Joseph Odell
Jonathan Cochran
Eben^{r} Varnum
John Ares
Benj^{a} Heath
Phillipe Page
John Osgood
Joshua Killey
Jedediah Spring
W. Seath Spring
Thomas Spring
Jeramiah Page
John Willson
W. Samuel Willson
W. Isaac Saltmarsh
Jeramiah Farington
W. Eben^{r} Smith
W. Chestefer Hountos
James Hountos
Robert Heard
James Heard
W. Samuel Thomson
Joseph Hull
Timothy Walker, jun
W. Benjamin Crokett
Benjamin Varnum
Thomas Russell
Amos Merall
Enoch Merall
Joah Abott
Lenard Heraman
William Whett
Antony Emery
Joseph Thomson
Samuel Kendall
James Prence
Abiathar Esteman
Florince McAuley
Noah Estman
Samuel Springer
W. William Merell
Daniel Peabody
Thomas King
Archebald Sterling.
Joseph *Loves?*=61.

The Alarm List men.

Col. MacMullen, Esq^{r}
Thomas Merall, Esq^{r}
Thomas Chatbun Esq^{r}
Byell Lovejoy, Esq^{r}
Capt. Timothy Walker
Lieut. Hugh Sterling
Lieut. Nathaniel Smath
John Dolife
Lenard Hearman
Abraham Colbie
Invelids=10

Total number, 61
10
—
71

A true list
DAVID PAGE.

You will find W. at the beginning of every name that is Goun to the Ware.

Letter from Capt. Zaccheus Clough.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 237.]

Gentlemen—

When I took orders to inlist a Company for the service of this Province, I was in a poor state of Health, and having a Desire to exert myself to y^{e} utmost in the cause of my injured Country, was determined, if possible, to go in Defence of y^{e} same; but Divine Providence has so ordered it, that it is not

in my Power to put y^e^ Resolves of my will into Execution, for my Indisposition has increased upon me to y^t^ Degree that it has rendered it impossible; therefore I conclude you will readily excuse me.

ZACCH^s^ CLOUGH.

Poplin, June y^e^ 12^th^ 1775.

To the Committee of Safety.

Committee of Safety at Henniker.

[Copied from MS. State Pap. Rev^n^, Vol. I., p. 249.]

Henniker, June y^e^ 12^th^ 1775.

The Resolves of the Committee met to discourse Joseph Kimball, Esquire, concerning his political principals in the dispute betwixt Britain and this North America, accusations brought are as follows: viz. The s^d^ Kimball did say that he did not blame General Gage for coming into this North America, But did not Justify or approve of his evil conduct since he had been in y^e^ Country. Further the s^d^ Kimball is for keeping up Civil Authority. Further the s^d^ Kimball being accused of speaking favourable of Governor Wentworth: But discoursing the Committee before the body of the People and finding the people disaffected, the s^d^ Kimball saith he is sorry that the People are uneasy with him, and that he is sorry if he hath given any provocation of offence. But means to do all so far as lies in his power to Propegate y^e^ liberty cause.

And we the s^d^ committee of Safety do Receive y^e^ said Kimball as a friend to the common cause.

JONAS BOWMAN
AARON ADAMS
JOSEPH LEWIS
WILLIAM POWERS.

A true coppy taken from the original.

[Copied from MS. State Pap. Rev^n^, Vol. I., p. 239.]

In Committee of Safety, Exeter June 13^th^ 1775.

GENT^n^ —

By a Gent^n^ of undoubted veracity (who left Boston last Friday & who had frequent oppor^s^ of conversing with y^e^ principle officers in Gen^l^ Gage's army) we are informed that there is a great probability that when the expected reinforcement arrives from Europe that Gen^l^ Gage will secure some advantageous Posts near Boston, viz. Dorchester & Charlestown. We are unacquainted with the importance of those posts, but if this hint sho'd be in any degree usefull it will give us pleasure.

Copy of a letter to y^e^
Committee of Cambridge.

June 13^th^ 1775.

[Copied from MS. State Pap. Rev^n^, Vol. I., p. 241.]

In Provincial Congress, Watertown, June 13, 1775.

To the Hon^ble^ Provincial Congress of New Hampshire —

GENTLEMEN — Considering the exposed state of the Frontiers of some of the Colonies, the Danger that the Inhabitants of Canada may possibly have disagreeable apprehensions from the military Preparations making in several of the other Colonies, and the Rumours that there are some appearances of

their getting themselves in readiness to act in a hostile way, this Congress have made application to the Hon[bl] Continental Congress, desiring them to take such measures as to them shall appear proper to quiet and conciliate the minds of the Canadians, and to prevent such alarming apprehensions. We have also had the most disagreeable accounts of methods taken to fill the minds of the Indians Tribes adjacent to these Colonies, with sentiments very injurious to us; particularly we have been informed that Coll. Guy Johnson has taken great Pains with the Six Nations in order to bring them into a Belief, that it is design'd by the Colonies to fall upon them and cut them off. We have therefore desired the Hon[bl] Continental Congress that they wou'd with all convenient speed use their influence in guarding against the evil intended by this malevolent misrepresentation and we desire you to join with us in such application.

Indorsed — " Letter from Congress
in Watertown, June 13, 1775."

Reply to application for aid from Conway.

[Copied from MS. State Pap. Rev[n], Vol. I., p. 243.]

In Committee of Safety, at Exeter, June 14[th], 1775.

Gent'n.

In compliance with your request, we have agreed to spare you 25 Pounds of Powder out of our small stock which is all we can possibly spare at present: have advised Mr. Burbank to purchase Lead as we suppose he will be able to procure that article without any difficulty; as for arms it is out of our power to supply you, nor do we think they are to be had in the Province. If the Indians sho'd have any design to trouble our frontier, we flatter ourselves we shall have such notice of their designs as to be able to guard ourselves against them. We have determined to employ 3 companies at present on the Frontiers for the purposes of observation, which will, we suppose, both afford you necessary information and security for the present.

You may rest assured that it was merely an oversight (unless as we rather suppose the Letter fail'd) that your Town was not desired to send a delegate to the Congress. If you think proper we think it quite suitable that you chuse some person or persons to represent you at the next meeting of the Congress, which will be the 27[th] of this month. We have enclosed a copy of the Letter on which the above Towns have acted.

Indorsed " Copy of a letter to the
Committee of Conway, 14[th] June, 1775."

Col. James Reed's Regimental Orders.

[Copied from MS. State Pap. Rev[n], Vol. I., p. 254.]

Charlestown, June the 14, 1775.

REGIMENTAL ORDERS.

1[st]. That each Capt. or Commanding officer of each company Immediately make a True Return of all the men they and their Recruiting officers have inlisted according to a form given them by the Adjutants.

2[ly] That each officer see that there Companys are a quipt with ten Rounds at lest of Powder and Ball and that there Fierlocks are kept in good order at all Times and give there men spechal orders not to fire a gun on any account whatever unless Besett by the enemy.

3ly That each Comander of a Company imbody all his Company that are of from Duty Twice a day to Exercise them in the best manar for Larning the arts of War.

4ly That each officer give spechal orders to these soldiers that they do no Damag to any of the Houses where they are Quartered or to any Garden or Grass in any parts of this Town on pain of being punished according to the ofence.

5ly That no soldier be allowed to strool from his Company or pass from his incampment to Charlestown Ferrey or to any other incampment without leve from there officers.

6ly That each Comanding officer of each Company cause the Rules and Regulations for the army to be Read at the Hed of the Respective Companys fourthwith and it is expected that all officers and soldiers govern themselves accordingly.

7ly That the Officers see that the men and Barracks are kept clean.

8ly That there be a Garde praded this afternoon at 6 o'clock, of the same Number of officers and soldiers that are now on Garde to Releve Capt. Whitcomb and his party and that the Adjutant and orderly Sargants keep a good Roster so that neither officer or soldier be called upon for duty out of there proper Turn.

9ly That there be no Noyse in Camp after nine o'clock at Knight but all to Repair to their Logens or Barraks.

10ly That Ephraim Stone is apointed Quarter master serjant untill further orders.

JAMES REED, Coll.

A Return June ye 14th, 1775, of Coll. Reed's Reg't.

[Copied from MS. State Pap. Revd, Vol. I., p. 252.]

	Effective Men fit for Duty.									*Sick, absent, unfit & on Command.*													
Encamped at Charlestown.	Capts.	Lieuts.	Ensigns.	Sergeants.	Corporals.	Drummers.	Fifers.	Privates.	Total No.	Capts.	Lieuts.	Ensigns.	Sergeants.	Corporals.	Drummers.	Fifers.	Privates.	Deserters.	Confined.	On Command.	Not joined.	Sick officers.	Sick Privates	Total.
Col. James Reed									1															
Lt. Col. Gilman									1															
Major Hale																						1		1
Capt. Jacob Hind	1	1	1	4	..	1	1	45	54												9		1	10
Capt. Josiah Crosby	1	1	1	4	4	1	..	32	44									4		8			3	15
Capt. Philip Thomas	1	1	..	4	4	1	1	34	46									1	..	2	1		1	5
Capt. Jona. Whitcomb	1	1	1	4	..	..	1	51	59											9			2	11
Capt. Benj. Mann	1	1	1	3	1	..	..	42	49				1	3						3	7		2	16
Capt. Wm. Walker	1	1	1	3	4	1	1	34	46				1					1		3	5		8	19
Capt. Levi Spaulding	1	1	1	3	2	..	1	35	44				1					1		11			1	14
Capt. Ezra Town	1	1	1	4	4	1	1	39	52											8			1	9
Capt. John Marcy	1	1	1	3	3	1	1	37	48											7	21			28
Capt. Heze'h Hutchins	..	1	..	2	2	1	..	38	44	1		1									18		1	21
Adj. Steph. Peabody																								
Qr. Mast. Isaac Frye																								

STEPHEN PEABODY, Adj't.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 258.]

Charlestown in the Massachusetts,
June the 15th 1775.

To the Honrable Gentlemen of the Committee of Safety at Exeter —

Sirs — I bag Leve to inform this Body of my proseedings in the Bisness I have the Honor to be interested with in this Dificult Day: Gentlemen, on the 2^{d} day of this Instant June I received verbal orders from General Fulsom at Exeter to repair to the westward parte of the province of New Hampshire and to colect a Number of men I had there in Listed as volunteeares for the Defence of the Libertys of Amarica and in the service of said province and cause all abel Bodied Effective men well a quipt to march to Cambridge and there to put myself and men under the Comand of General Ward untill further order, in obediance of which I imediately persued my orders and notified the men, and Like wise I aquanted the Selectmen of the Towns the vote of Congress in Regards of furnishing the men Blanketts notwithstanding what thay and I could do in that affair my officers was a Bildged to leve a number of inlisted men behind as you will see by there Return herewith inclosed. On the 12th of June I arived at Cambridge there wated on General Ward he inform'd me that Cambridge was so thronged with soldiers that he had given orders for Captins Spaldwin, Walker and Crosby to march to Medford then I Repaird to Medford and there I met with Capt. Hinds, Whitcumbe, Town, Hutchins, Man, Marcy and Thomas.

Whitcumbe and Thomas I took out of Coll. Starks Regiment for the 2 Companys that was asigned me — then I was informed by Coll. Stark that Medford was so full of soldiers that it was Necessary for sum to take some other Quarters — then I aplayed myself to General Ward and there Receivd orders in these words:

"Head Quarters June the 12th, 1775.

General Orders — That Coll. Reed quarter his Regiment in the houses near Charlestown Neck and keep all necessary Guards between his Barracks and the Ferry and on Bunker Hill. Signed J. Ward, Sectary."

A copy pr James Reed.

Then Sirs on the 13, I marched my Regiment from Medford to Charlestown neck and with the assistance of Mr. Turits one of the selectmen of Charlestown I got my men into good Barracks and then rased my gard consisting of 1 Capt. 2 Luts. 4 sergeants 4 corporals and 40 privates. This eanded the 13th day of June.

I Bag leve to inform that we are in grate want of an *Armer?* and chaplin There is Doctor Abner Barker with us taking Cair of our sick but hath no medeson onely by applying to Head Quarters, he is a man that hath been aquainted with the Bisness of an *Armery?* and he hath had the smal pox and seems to be very coind and helpful and is willing to Tarey if Desired.

Gentelmen you see what paper we are obligd to use and no *bater* is to be got here therefore I Bag that there mig at be a Regimental Book provided and sent and an orderly Book for each Company. I am Gentelmen your obliged servant (1).

J. Reed.

(1) A copy of this letter is found in Amer. Ar. 4 Ser., Vol. II., p. 1005; but it differs from the original in the spelling of several words, and in omitting wholly the last paragraph. The word *Armer*, for example, which is plainly written, is called "apothecary," and so also is the word *Armey*. It appears from the subjoined letter written by Lt. Col. Gilman, that Coll. Reed wanted an *Armor*, i. e., a man who understood the making and keeping arms in repair. He also wanted a surgeon. — Ed.

CHARLESTOWN, June the 15th, 1775.

REGIMENTAL ORDERS — The main Gard this day is to consist of one Capt. 2 Luts. 4 sergeants 4 corporals and 50 privets. The Capt of the main Gard is to keep a trusty Sergeant with the Senterys in the Street below the Gard house to examin all pasangers Let none pars without shoing proper pases in the Day time and none to pass after Nine o'clock at Knight without giving the counter sine and no Sentrey is to set down on his post and when any field officer pases them to stand with their firelocks Rested no soldier to swim in the water on the Sabath day nor on any other Day to stay in the water Longer than is nesasarey to wash themselves.

Signed JAMES REED, Coll.

Letter from Lt. Col. Israel Gilman.

[Copied from MS. State Pap., Revn, Vol. I., p. 261.]

GENT. Charlestown, June the 16th, 1775.

I take this opportunity to inform you of the State of Collo Reads Ridgiment now at Charlestown — the Redgement is full offisd; the solgrey will appear by the Return; there is a good harmony in said Ridgment, a chaplin, surgen & armor is very much wanting in said Ridgement. Gentn I am with respect your most obedt &c.

ISRAEL GILMAN.

P. S. It is a still time with the Regular troops at present, we expect they will make a push for Bunkers Hill or Dorchester neck very soon.

To the Honble the Committee of Safety.

In Committee of Safety, Exeter, June 16th 1775.

To Mr. Moses Emerson, Commissary.

SIR — You are Desired to Repair to Cambridge on Tuesday next to Receive from the Committee of Supplies & Distribute the Provisions to our men there, & at Medford in the same manner as they are Dealt out to the other men in the army.

Rations as stated by the Colony of Massachusetts, 1775.

[Copied from Prov. & Revy Papers in Secys office, p. 143.]

In Provincial Congress, Watertown June 10th 1775.

Resolved, That each soldier in the Massachusetts army shall have the following allowance per day viz.

Article 1. One pound of Bread.

2. Half a pound of Beef and half a pound of Pork, and if Pork cannot be had one pound and a quarter of Beef, and one day in seven they shall have one pound and one quarter of Salt fish instead of one pound of meat.

3. One pint of milk, or if milk cannot be had one jill of Rice.

4. One Quart of good spruce or Malt Beer.

5. One jill Pease or Beans, or other Sauce equivalent.

6. Six ounces good butter pr week.

7. One pound good common soap for six men per week.

8. Half a pint vinegar per week per man, if it can be had.

(copy) JOSEPH WARREN, Prest.

Attest Samuel Freeman, Secy.

Letter from Col. Josiah Bartlett, Esq.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 263.]

Kingston, June 18th, 1775.

Sir —

This moment one Mr. Moretone has come Express from Cambridge, has Brought a Letter from the Continental to our Congress which I shall send to the President. He came from thence last evening, has Rode all night & informs that the Regulars came out of Boston yesterday to Charlestown & had Begun an Engagement, that he is well assured that Charlestown is Burnt & that our people were flocking Down all last night to the Army. I shall send to the President to be at Exeter to morrow morning. Desire that the Rest of the Committee be notified. Your prudence will Direct you about marching our men. In great haste

I am, &c.

Josiah Bartlett.

To General Folsom, Exeter.

Note.

[On the back of Col. Bartlett's letter, but in a different hand, was written the following:—Ed.]

"Copy sent to
Dr. Thompson
Capt. Whipple
Capt. Moulton
Col^{o} M^{ack} Duffee
Comittee of Safety
Newb^{y} Port.

Orders sent to
Maj^{r} Cilley
Cap Elkins
Cap Rowe
Cap Clough
Cap Adams
Cap Titcomb
Cap Gilman
Cap Wentworth
Cap Tilton
Cap Norris

} To march their men without loss of time to Cambridge to join the Army.

June 18th 1775.
11 o'clock, A. M."

Letter from Benj. Greenleaf, Esq.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 265.]

June 18, 1 o'clock, P. M.

Sr —

I have just seen a Gentleman from Cambridge who says that yesterday ab^{t} 3 o'clock afternoon a large Body of regular Troops landed at Charlestown, backside of Bunk^{r} Hill with artillery &c., drove our Men from the Top of the hill, where they, that is, our men, had begun to entrench, that a reinforcement was sent from Cambridge, that they were attempting last evening to gain the hill again, that there was a very smart firing all the evening — that Charlestown is burnt to the ground. These are all particulars that we have as yet. I am in haste

Sr. your most hum^{b} servant

B. Greenleaf.

To Gen^{l} Folsom.

Letter from Massachusetts Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 267.]

Chamber of Supplies, Watertown 18th June, 1775.

Gentlemen —

Agreeable to an order of the Congress of this Colony, we inclose to the Hon^{ble} Congress of your Colony several Resolves of the Continental Congress and desire that what Powder can be spared may be sent to this place with all possible Dispatch. The Demand for this article is great & we assure ourselves that our sister Colony of *Rhode Island?* will not fail to send us all the Relief in their power since a failure herein may be very fatal to a valuable army.

We presume that you have heard of the Devastation made by our savage adversaries. In consequence of the N. E. army's having on Friday night last taken possession of Bunkers Hill in Charlestown, they began a Strong Fire on Saturday morn^{g} from the Lively & the Batteries in Boston & at noon brought into Charlestown River three ships of the Line and landed about 3000 Troops under cover of the ships; in consequence of this a warm engagement Ensu'd & the N. E. Forces, unprovided by the shortness of the Time for such an attack, left the Post, & Repair'd to Cambridge; the killed & wounded are not yet ascertained; but we have reason to think that the Enemy's loss is fully equal to that of our forces. Charlestown was put in flames by the enemy. & of the whole Town there is nothing to be seen, but the Ruinous Monuments of Cruelty. We are in hourly expectation of a Further Engagement & depend on God and the Justice of our cause for supporting the same. We are Gentlemen very Respectfully

your most obed^{t} serv^{t}

DAVID CHEEVER.

Honorable provincial Congress
of New Hampshire.

Answer to the foregoing Letter.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 289.]

In Committee of Safety, Exeter June 19th, 1775.

Gent —

The Congress of this Colony being under adjournment, we have taken into consideration yours of yesterday, and are sorry to inform you that it is not *in the power of this Colony* to afford you any considerable assistance in the article of powder. In consequence of the Resolves of the Continental Congress which we Received yesterday by Express, we have this morning sent off six ct. weight out of our small stock which we hope will come safe to hand, and have now Resolved to send 1000 weight more with all possible Despatch. We have Receiv'd by Report an imperfect account of the Engagement of the 17th Inst. and of the Devastations made by the enemies of America. We greatly Regret the loss of Dr. Warren of your Colony as well as of Major McClary of ours, who with others we are informed fell in the engagement. As we are engaged in a just cause, we hope & trust the Supreme Ruler of all Events will support us in our present conte. t & that our Liberty & Privileges will be finally established on a solid foundation.

To the Committee of Supplies,
Watertown, June 19, 1775.

Letter from James McGregore.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 299.]

Medford, 19th of June, 1775.

Sir —

I arrived Here in the morning at six o'clock and the commanding officers of our New hampshire Regiments complain'd that they had a great Number of wounded & sick men and No Medicine to Do them any service. I imediately went to the Committe of supplys at Watertown and inform'd them of our Distress'd scituation. They inform'd me that they had no Medicines to to spare, but upon such a Representation as I made to them they Lent the Government of New hampshire one of their own Chestes of medicine and expect they will Replace them as soon as possible, and if there is any more Medicines to spare in our Collony than will be judg'd sufficient for our own use they wou'd Beg you wou'd let them have them, as they expect they will be scarce.

As to finding provision for our men, I spoke with the Committe of Supplys and they told me that they wou'd Not for the present let our people suffer for want of provision, but wou'd be glad we wou'd Look out for our selves as soon as possible. I have Not as yet spoke with Mr. Trumbul and I believe it scarcely worth while Relative to provision as I think his terms is too high,— I shall tarry here untill I can hear from you and hope you will send some one of y^{e} Comtt^{e} of supplys with cash as soon as possible it can be Ready, as I am sensible it will be saving to any person that goes to Conecticut to have Cash with them. I shall do everything in my power for y^{e} comfortable support of our men untill I hear from you, w^{ch} I pray may be as soon as possible.

I am sir, with proper Regard to y^{e} Comit^{e} of safety,
Your & their Hum^{bl} ser^{t}

James McGregore.

Letter from Col. John Stark — Battle at Bunker Hill.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 301.]

Medford, June 19th, 1775.

Sir —

I embrace this opportunity by Colonel Holland to give you some particular information of an Engagement in Battle, which happened on the 17th Inst. between the British Troops and the Americans. On the 16th Inst at evening a detachment (1) of the Massachusetts Forces, marched by the General's order, to make an entrenchment on a hill in Charlestown, called Charlestown hill, near Boston, where they entrench'd that night without interruption; but were attacked on the 17th in the morning by the shipping in Charlestown River and Batteries in Boston, very warmly; upon which I was required by the General to send a party consisting of 200 men, with officers, to their assistance; which order I readily obey'd and appointed and sent Col^{o} Wyman Commander of the same — and about 2 o'clock in the afternoon express orders came for the whole of my regiment to proceed to Charlestown to oppose the enemy who were landing on Charlestown point. Accordingly we proceeded, and the Battle soon came on, in which a Number of officers belonging to my Regiment were killed, and many privates killed and wounded

The officers who suffered were

Major McClary,	by a cannon ball.
Capt. Baldwin & Lieut. Scott	by small arms.

1) About 2500.

The whole number including officers who were killed and missing	15
Those who were wounded	45
Kill'd, wounded and missing	60

By Colº Reed's desire I transmit the account of the sufferers of his Regtmt who were in Battle.

Killed	3
Wounded	29
Missing	1
In both Regiments are	93

But we remain in good spirits as yet, being well satisfied that where we have lost one, they lost three. I would take it as a favour if the Committee of Safety would immediately recommend to the several Towns and Parishes in the Province of New Hampshire, the necessity of their stopping and sending back all the soldiers (belonging to the New Hampshire forces stationed at Medford) that they may find from the Army not having a furlow from the Commanding officer.

I am, Sir, with great respect,
Yours and the country's to serve in
the Common cause,
JOHN STARK.

The Honourable Matthew Thornton Esq.
President of the Provincial Congress at Exeter
New Hampshire.

Letter from Job Bradford, about Bunker Hill fight.

[Copied from MS. State Pap. Rev., Vol. I., p. 293.]

Hingam, yᵉ 19ᵗʰ of June, 1775.

COLL. B. LINCOLN —

Yesterday I came out of Boston, at 2 o'clock, A. M. I heard the officers & souldiers say that they were sure that they had a Thousand or more men killed or wounded, that they were a carrying the wounded men from 4 o'clock on Saturday untill I came away. General How commanded yᵉ Troops. They buried their Dead at Charlestown. Among the Dead was Major Pitcairn (1); a great many other officers are Dead. There was five thousand souldiers went from Boston. The souldiers and officers exult very much upon taking our lines.

JOB BRADFORD.

[Copied from MS. State Pap. Revº, Vol. I., p. 297.]

Portsmº, June 19ᵗʰ 1775. (2)

SIR —

I have procured & sent pr Mr. Young abᵗ 4 1-6 Reams of the best Paper I could get in Town. Colº Boyd's is very mean will not answer the purpose. I am hurrying the workmen upon the Tents & ball. I have engaged abᵗ 3 tons of Brimstone, but very little Salt Petre in Town. I shall secure all I can & shall send up some tents & ball tomorrow.

I am Sir in great haste,
Your most humb. servᵗ
SAML. CUTTS.

(1) See Letter from Gen. Washington, with list of British officers killed and wounded, in Amer. Ar., 4 Ser., Vol. II., p. 1660. — ED.

(2) Written to Comtee of Safety at Exeter in answer to an order for 10 Reams. — ED.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 305.]

Portsm^{o} June 20th 1775.

Gentlemen

I have sent by Mr. Hall, who will if ordered, proceed directly to Cambridge with sundries as pr Enclosed memmorand^{m}. I have near 20 persons at work upon the tents and shall have most of them done this week. If I can be of more service in the cause at Exeter than here, procuring necessarys, please to let me know it.

I am, Sir, your most Hum^{b} Serv^{t}

SAML. CUTTS.

Letter from John Hancock, Esq.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1084.]

Philadelphia, June 20th, 1775.

GENT^{n} —

I am Directed by the Congress to forward you the inclosed Resolve, which pass'd yesterday, and to Request an immediate Compliance therewith, so far as it Relates to the Troops in your Colony.

I am, gentlemen, your most obed^{t} Serv^{t}

JOHN HANCOCK, President.

The Provincial Congress or Committee,
New Hampshire.

In Congress, June 19, 1775.

Resolved, That the Governour of Connecticut be requested to direct all the Forces raised in that Colony not employed at Ticonderoga and Crown Point, or recommended by this Congress to be marched into the Province of New York, to be immediately sent to join the combined Army before Boston; and it is earnestly recommended to the Colony of Rhode Island, and the Provincial Convention of New Hampshire, to send immediately to the army before Boston, such of the Forces as are already embodied, towards the quotas of the Troops agreed to be raised by the New England Colonies.

A true copy from the Minutes.

CHARLES THOMPSON, Secretary.

Letter from the New Hampshire Delegates in Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 313.]

Phil^{a} 20th June, 1775.

MATTHEW THORNTON, Esq.

Your favor of the 24th May is now before us; in answer to which can only say, we easily conceive the "painful sensation" that every honest man must feel, when he sees the unnatural conflict between Great Britain and these Colonies rising to such a hight: But when we consider it not of our own seeking, drove by the sons of Tyrany and oppression, to the sad alternative of being made slaves, or appealing to the sword in Defence of our just liberties, cannot but think we shall stand justified before God and man, in vigorously seizing the latter.

We were much pleased with the proceedings of New Hampshire, shewing their attachment to the common Cause by raising so large a number of men

for the Defence of America. We are sensable of the inability of our province to support them, and the necessity of a paper currency.

We are at liberty to inform you that the Committee of the whole Congress have agreed to Report a Continental Currency, which no doubt will be Emitted immediately and forwarded for the payment of the Troops. The Congress have appointed General Washington to the Coremand of the American forces, who will set out for the Camp to morrow or next day: have also agreed upon a Continental army. The other proceedings of Congress are not yet to be made publick unless what appears in the prints. It is impossible to conceive of a greater unanimity in the Colonies, than that which at present subsists, one and all being Determined to defend our Rights to the last.

May the great Author of all things Bless and assist us, is the most ardent prayer of

your ob^{t} Hum^{b} servants

JNO. SULLIVAN
JOHN LANGDON.

P. S. Inclosed is an order for
General Fast.

Letter relating to Indians, Canada, &c.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 309.]

Lancaster, [N. H.,] June y^{e} 20th, 1775.

To Col^{o} Baley & Col^{o} Hurd,

SIRS — We sent out a scout of two men to the Lake Umphramagog in order to find two men that Mr. Benj^{a} Sawyer said he had left at that Lake, but found them not, and have Return'd back again. They saw at the Lake Umphramagog several Indians a hunting, one of which was Black Lewa by Name, who is very well known among our People in general to be the most trusty and faithfull to his word of any Indian that ever came in among us; he tells our Scout that he set out to Pilot two Regular officers into Lower Coos last Winter and two other Indians with them: But he was there Chief Pilot, in order to find out a good Road from Canada to Coos, as these men told him their desire was to Look out a Road to Coos. But after they had set out on their Journey, the Regular officers told the Indians they intended to come through that way with an army to take and Disstroy the People in those Towns on this River, and when Lewa found out their Dissine he went Back and Left them; they made him Promis & sware he would not come in to us and make known their Dissine. He says there is near two thousand Regulars now in Cannada, and they are makeing all Preparations Possible can for war, Determind to come against us Late this fall, and Bring Snow shoes with them, and are now Imploying the Indians to make them. Lewa says, they are continually inviting the Indians to Joyn with them and fight against us, and they will Put them in Officers, and offer them money to take up arms against us. But they utterly Refuse it. The Regulars threatens to kill them to scare them to take up arms against us. Lewa says the Indians and French waits for nothing but for an Invitation from us to Joyn with us, which would do it Immediately: Wants to have us send an Army to take Quebeck, and let them know when our Army will meet them at Quebeck to take it. He says all Cannada will rise to help take it. They Determine Not to take their old *Law?* again, if we will but Joyn with them they will Joyn with us. This Lewa says their head man at Cahnawogo is an English man very much for New England: his name is John Stacey: he wants we should send them word if we want them to assist us or Not. Lewa says, he can Raise 500 Indians to assist at any time. This John Stacey is their head man and this Lewa is next to him. Lewa says, he will do all he can to help us, he will stay at this Lake 20 Days from the time our Scout Left them & this is the 5th Day since

and then he and the other Indians are going to Cahnawogo, and if we Desire it he will carry a Letter to their head man who can Read English,—and Now we send a man Directly Down to Coos to let you know of these affairs, and as the Indians allways spake in your favor, that it would take more effect upon the Indians to have you write to them what our Desire is, and whether you will have them joyn us or Not: for they Live in fear of Being Destroyed by the Regulars, as there is but a handfull of them. This Lewa says, he will go to Cannada for us for Pay all summer if we Desire it,'and Lett us know of all the Desines of the French and Canadians and Regulars &c. he proposes the manner he will go in, that they might not mistrust him to be a friend to us: Says he will take part of his hunt that he hath got at a time, and go into Canada, and sell that as usual, and tell them he hath got some more Moose skins in the woods, and must go and fetch them; and so in like manner as long as we should want to have him go. We have got two men Ready to go out to Lewa Immediately if you think Best to send. This Scout went and Back again in five days with a Cannoe. If Colº Baley should have a mind to go out himself and see these Indians, our men can carry you in a Cannoe and Bring you Back again. Your seeing them yourself will be more satisfaction to yourself and to other People in general than sending by others. This Indian was afeard to lett the other Indians know what he told our men Least they should Betray him in Canada. He says, Now is the time to take Quebeck; the Regulars are buying up and storing all the Provisions they can in Canada.

In mean time we Remain your most Humble Servts

EDWARD BUCKNAM
SETH WALES.

To Colº Jacob Baley and
Colº John Hurd, att
Haverhill & Newbury.

Letter from Rev. Samuel Webster.

[Copied State Pap. Revn, Vol. I., p. 315.]

Temple, June 21, 1775.

GENTLEMEN —

I mention'd to you Mr. Isaack Howe of New Ipswich as a person I imagined suitable to be appointed Quarter master for Col. Reeds Regiment. I have since seen Mr. Howe & find that he is willing to take the place, which I was doubtful of when I found the wages were only three pounds pr. month.

If you have not appointed one before this reaches you, I hope you will bear him in mind. He is I think a Person of very good capacity & Property; has been in the army, & has, as he tells me, the approbation of Col. Reed, & is of a fair character, & much used to public business. I have said enough for me, I trust you will do right.

Pray, Gentlemen, don't forget or neglect to give directions to the Committee of Supplies, to get ready as soon as possible 500 or 1000 Bayonetts — 'tis barbarous to let men be obliged to oppose Bayonetts with only gun Barrells, & perhaps no am'nition. If many are provided they will suit somewhere, & an armorer will soon fix the sight: enough may be found to make them if they are set to work. A fellow that was in the Saturday engagement tells me they suffered greviously for want of Bayonets, as well as Powder & Ball.

It was a pretty Feint in the regulars to tell of attacking Dorchester — designing another course. I find stories are spread that reflect on the vigilance & even Fidelity of those that lead. I hope they were not disputing about rank. However this were, we learn that some brave officers and men have found (as well as some few cowards) their rank arranged by death, the

universal leveller. I can scarce forbear being very serious & very long — but as you are, or ought to be, I am sensible, very busy, I have done — with only wishing that you may do always right & that God would reward you, & pity and save our distressed country. With respect,

SAMUEL WEBSTER.

To the Committee of Safety at Exeter.

P. S. The Drought is hardly so severe here as at Exeter, but tis thought there will be half a crop of hay.

Letters from Gen. Nathaniel Folsom.

[Copied from MS. State Pap. Revº, Vol. L, p. 317.]

Medford, June 22, 1775.

GENTLEMEN —

I arrived here Tuesday morning & Imediately waited on the Capt. General who chose to fix the New Hampsh Troops in this Quarter & Winter Hill. Yesterday was taken up in providing Barracks for the Companys just come in.

I am inform'd our Troops behaved gallantly in the late Engagement. The Continent has sustain'd a heavy loss in Dr. Joseph Warren, who is missing, & it is said was kill'd in the Trench beyond Bunker Hill. Majr McClary was kill'd by an accidental shott from one of the ships, sometime after our People had made their retreat — the whole loss sustained by the Provincials is abt 75 killed and taken, abt 125 wounded, about 25 of 'em mortally. I Inclose you an accº of Loss sustain'd by Colº Reed's Regiment and request that the sufferers may be immediately supply'd with their necessary cloathing &c. Colº Stark was requested to make a like return of his Regiment but he has not yet done it, he tells me he had 15 men kill'd and 45 wounded. I shall send as many of Colº Poor's Regiment on duty to Winter Hill this morning as Intrenching Tools can be found for, there is great scarcity of those things here. It is highly necessary our Troops should have their Tents as soon as possible, they have no shelter from the Rain on Winter Hill, what Tents are finish'd if but few should be sent forward Imediately with as many spades shovels & Pick-axes as can be got in readiness and some bullets & flints. I can get no regular accompt of the Loss the King's troops sustained, one Mr. Bradford writes to Colº Lincoln from Hingham the 19 Inst. he says "yester-"day I came out of Boston at 2 o'clock A. M. I heard the officers and sol-"diers say that they sure that they had a Thousand or more kill'd and "wounded, that they were Carrying the wounded men from 4 o'clock Satur-"day till I came away. Genl How commanded the Troops, they buried their "dead at Charleston among their dead was Majr Pitcairn, a great many other "officers are dead, there was five thousand Soldiers went from Boston. The "Soldiers and officers exult very much upon taking our Lines."

A messenger I sent to Head Quarters for Intrenching Tools is just returned and informs me he cannot get one; therefore must further urge the necessity of forwarding them Imediately.

I am, Gentlemen,
your most obedt

NATHL. FOLSOM.

To the Committee of Safety
at Exeter.

P. S. According to your direction I inquired at Head Quarters the rank of the General Officers and Inform you that Mr. Ward is Capt. General, Mr. Thomas Lieut. General, and the other Generals are Major Generals.

I am further Informed by Major Osgood that they have voted in addition to the above a Brigadier General to each Battalion.

Return of Killed and Wounded in Col. Reed's Regiment— Copy of a Letter from Gen. Folsom to Gen. Ward.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 321.]

May it Please your Excellency,

In pursuance of your orders to make return of the State of the Regiments under my command, I have order'd the Col^{s} to make return of the same to me, but all I have been able at present to obtain is a list of the kill'd, wounded and missing in Col^{o} Reed's Regiment, which is as follows:

1 Corporal } kill'd
3 Privates }
1 Private missing.
2 Sergeants } wounded
26 Privates }

As soon as I can obtain a true State of the Troops, I shall forward the same to your Excellency immediately.

I am informed the Engineer was here yesterday, but my troops coming in from the Eastward necessarily required my attention at Medford. I sent here to know if he had been here and was inform'd he had not.

If he can be spared this afternoon I shall tarry here and wait his coming.

I am in want of Intrenching Tools which I have wrote to the Committee of Safety for New Hampshire for; as it will be some time before they Possibly be got here, if any just for the present can be spared from Head Quarters, it would save much time which must otherwise Necessarily be lost.

I am, y^{r} Excl^{ys}
most obd^{t}

Winter Hill, June 22^{d} 12 o'clock.

Indorsed — "Copy to his Excellency
General Ward, June 22^{d}, 1775."

Letter from Gen. Folsom relating to Gen. Stark.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 323.]

Medford, June 23^{d} 1775.

GENTLEMEN —

In my Letter to you yesterday I acquainted you that on my arrival here I Imediately waited on the Capt. General; he then Order'd me to make return to him of the Two Regiments, viz. Col^{o} Stark's & Col^{o} Reed's, of their Situation and Circumstances; on my return here I sent orders to the Two Col^{os} to make return of their respective Regiments to me. Col^{o} Reed Imediately obey'd the order but Col^{o} Stark repeatedly and at last absolutely refused to comply. I am well inform'd by Mr. Stark's best friends that he does not Intend to be under any subordination to any Person appointed by the Congress of New Hampshire to the general command of the New Hamp^{r} Troops. I have tried all conciliatory methods both by Personal Conversation and the mediation of Friends, but without effect. In consequence whereof I this afternoon again waited on the Capt. General at Head Quarters to take his order on the matter; he requested me to advise with the Committee of Safety of New Hamp^{r} on the Business, as Col^{o} Stark has received no Commission yet from you, he thinks he does not properly come under his cognizance. Gentlemen, it is I trust unnecessary to hint to you that without a Proper subordination it will be absolutely Impossible for me to Execute the Trust you have Reposed in me; in my last conversation with Mr. Stark, he told me he could take his Pack and return home (and meant as I suppose to Lead his men with him.) I represented to him the dishonorable part he would thereby act towards both Colonies.

I have since made Enquiry & find he would not be able to Lead off many more than the supernumerors of his Regiment, it still consisting of 13 Companys. I think a Regiment might be form'd of the men who have been under his command without his being appointed to the Command of 'em.

I must do the Justice to Let[n] Col. Wyman to say he has behaved prudently, Courageously and very much like a Gentleman, and I think I could recommend him to the command as soon as any Person I know.

I think I shall never be able to do any thing with that Regiment unless you make new Regulations in the Field officers, which I would recommend should be taken out of the Capt[s] of that Regiment which I apprehend would facilitate the Union of our Troops. I think it necessary I should have my Commission made out and forwarded to me as soon as Possible. I Inclose you a copy of Maj[r] General Fry's Commission. I would inform you that Col[o] Reed's Regiment is destitute of Surgeon and Surgeon's mate. Doct. Hall Jackson highly recommends for Surgeon, Dr. Nath[l] Gilman, a young gentleman who came here with me on speculation and has assisted in Dressing the wounded men. Dr. Jackson says, he knows no person who deserves a better recommendation that will come; here is a Doctor Chase of Canterbury present who comes well recommended for Surgeon's mate. I think it would promote good order in Camp if a Chaplain or Chaplains was appointed and sent Immediately as there has been none as yet in our Encampment. We may suffer great loss for want of an armourer to each Regiment as many of the arms being bro't away in haste and much out of Repair, should we be call'd to action they would be useless.

I am gent[n] your most obed[t] serv[t]

NATH'L FOLSOM.

Copy to the Com[tee] of Safety at Exeter.

Letter from Gen. Folsom asking for heavy artillery.

[Copied from MS. State Pap. Rev[n], Vol. I., p. 329.]

To the Hon[ble] Committee of Safety for the Colony of New Hampshire —

GENTLEMEN —

The New Hampshire Troops being stationed at a very important post on the Outlines & exposed to the Enemies Batteries; I yesterday apply'd to his Excellency General Ward for heavy Artillery; but he could not supply me with any. I have this moment receiv'd a Line from him, wherein he requests me to apply to the Colony of New Hampshire for two twenty-four & two nine Pounders to be forwarded with all possible Dispatch.

I therefore, under the greatest anxiety for the safety of our Troops, earnestly intreat you to send the above mentioned Cannon as soon as possible, fitted with Carriages: as we hourly expect the Enemy will attempt to force our Lines, before we have fully compleated the Entrenchments, which are in considerable forwardness, and some of the *Ambuzeers*(1) compleated; but have no cannon to mount in them. No other cannon are suitable for the purpose.

By complying with the above request you will in all probability save the Lives of many of your brave soldiers, who gallantly adventur'd their Lives in the glorious common cause, suffer'd the greatest fatigues & Hardships, are now expos'd where it is expected by the Engineers, that the Enemy will endeavor to force our Lines, and also oblige

y[r] Hum[bl] Serv[t]

NATH'L FOLSOM.

N. B. If nine Pounders can't be procured should be glad to be supply'd with two double fortifyed six Pounders.

Camp on Winter Hill, June 24[th] 1775.

(1) Embrasures? An opening in a wall or parapet, through which cannon are discharged.—ED.

Letter from Gen. Folsom — relating to Col. Stark, &c.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 337.]

To the Hon^{ble} Committee of Safety for the Province of New Hampshire:

GENTLEMEN —

In my letter of the 23^{d} Instant I informed you that Col. Stark refused subordination to my orders. But yesterday he made such submission as induces me to desire you to pass over said Letter, so far as it relates to him, unnoticed. He has three supernumerary Companies, one of which very lately joined his Regiment. Pray your orders with respect to them.

In my Letter of the 24th Instant, I omitted mentioning that the Capt. General could as poorly supply me with Mattrosses as Artillery. 'Tis needless to mention that a camp is insecure without artilley men in proportion to the Battalion. The New Hampshire Forces in this present station are in a great measure independent of the other Forces; and if occasion requires the few mattrosses in our Camp (scarcely sufficient to manage a few small field pieces) may be detached from us & the camp left it entirely destitute. I therefore, pray your judgment whether it is'nt more eligible to draft out one half the Artillery Company design'd to be rais'd in Portsmouth, to join your Forces here, with good Engineers as soon as may be.

If you can't procure an expert Gunner in New Hampshire, several persons have been recommended to me by members of the Massachusetts Congress, who I believe may be procur'd with common encouragement.

I am, your much oblig'd
& very humble serv^{t}

NATH^{l} FOLSOM.

P. S. Please to excuse the Badness of the Paper it being the last I have got or can get.

Indorsed —Copy of a letter to the
Committee of Safety, June 25th, 1775."

Letter from James McGregore.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 338.]

Medford, y^{e} 24 of June 1775.

GENTLEMEN —

Inclosed I send you a memorandum of sundry articles that y^{e} General thinks is verry much wanted here for y^{e} use of y^{e} New Hampshire forces, and should be glad if you think best that y^{e} Horses may be forwarded here as soon as may be, as there is scarcely any such thing as getting Teams here and likewise Carriages with them. Salt provision is very scarce here, but we have been well supply'd hitherto. Coll. Hale is gone to Conecticut to forward provision, Mr. Molton is to follow him with Cash. The men are very uneasy for want of a months pay that was propos'd to be given them. I hope you will forward it as soon as possible, and likewise some Cash to me as I am left here and as many People calling on me as is sufficient to put a man of my patience allmost Distracted. I always shall obey your Directions with pleasure.

I am, Gentlemen, your very hum^{b} serv^{t}

JAMES MCGREGORE.

To the Gentlemen of y^{e} Committee of Safety.

The Committee of Safety to Gen. Folsom.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 345.]

Exeter, June 26th 1775.

The Committee of Safety of the Col^{y} of N. Hamp^{r}
To Gen^{l} Folsom — Greeting:

Sir — Previous to the rec^{t} of yours of the 22^{d} Inst. we sent you flints, bullets &c. pr Mr. Gordon which the Commissary has rec^{d}. We now send what entrenching Tools we have prepared, also a Quantity of Blanketing; as to what you write in y^{rs} of y^{e} 23^{d} Inst. Concerning Col. Stark, the Congress will meet tomorrow & shall lay it before them — shall immediately provide & send a surgeon for Reed's Regiment; are preparing Carriages for the Cannon you request in y^{rs} of the 24th Inst. as soon as compleated shall forward them without Delay. The Muster Master will shortly be at Medford to pay off the forces, by him will send y^{e} Commission. Have sent 92 tents & shall within a week forward 60 more. We earnestly wish you the favor & protection of heaven, & are y^{rs} &c.

By order of the Committee

M. Thornton, Chairman.

11 o'clock, P. M.

In Committee of Safety, Exeter 26th June, 1775.

The Bearer, Mr. Deering will deliver you 20 prs. Blanketing, 7 Ruggs, 26 picks, 2 tents & we have ordered him to take a number of shovels at Kingston, you'll inform us of your situation & what is wanted by every convenient opportunity.

Moses Emerson, Commissary, &c.

Letter from Gen. Folsom.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 345.]

To the Hon^{ble} Committee of Safety for the Colony of New Hampshire:

Gentlemen —

Since my arrival here the harmony & willing obedience of the New Hampshire Troops gives me the most sensible Pleasure. I have got them into tollerable regulation, & shall as far as in me lies, use my utmost exertions to get them into the greatest good order & discipline, which is so indispensably necessary in an army; & still promote and preserve unanimity and concord amongst them. But to that end, you are very sensible that they must receive regular supplies. Such brave Troops as yours are, deserve the best of livings, or at least such as will conduce to the preservation of their Health, and render them capable of undergoing Fatigues & Hardships. I would therefore beg leave to intimate, that if part, or the whole of the Committee of Supplies were to constantly attend the Camp, vested with descretionary Power as to supplies, it would be greatly advantageous to your Forces; As it is impossible that any set of men can so well ascertain what properly belongs to their Department when absent, as when present, & can have their Business carried on under their immediate Inspection. The foregoing I esteem'd myself in Duty bound to mention; & leaving it to your well known wisdom & Prudence I remain

y^{r} very humble, Serv^{t}

Nath^{l} Folsom.

Camp on Winter Hill, June 27, 1775.

Letter from Committees in Lebanon and Hanover relating to Canada.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 355.]

Lebanon, 27 June, 1775.

Sr —

Mr. Dean having returned yesterday from Canada with intelligence which we apprehend of importance, We think it our Duty forthwith to communicate it to the provincial Congress, & as sundry members of the Continental Congress have desired Mr. Dean's attendance at Philadelphia as soon as he return'd from his Mission, for which place he sets out tomorrow; we have desired Mr. John Wheelock to take the Journey to communicate the intelligence to your Hon^{ble} House with as much speed & accuracy as possible, not doubting your approbation of our procedure therein.

We are, sir, your most
obed^{t} & very Hum^{bl} serv^{ts}

JOHN GRISWOLD, JNO. WILLIAMS } Com^{tee} of Inspection.
SILAS WATERMAN, JEDEDIAH HIBRARD } Correspond^{ts} for Lebanon.

To Coll. Thornton, Pres^{t}
of the Provincial Congress
in New Hampshire.

[Note. An exactly similar letter was sent from Hanover, addressed to Col^{o} Thornton, signed by

EDMUND FREEMAN, BEZA WOODWARD, JOHN WRIGHT, JONATHAN FREEMAN, ISRAEL CURTISS — Committee of Inspection and Correspondence for Hanover.

Ed.]

Letter from Gov. Trumbull of Connecticut.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 359.]

Lebanon, [Ct.] 27th June, 1775.

Gentlemen —

I have this morning received the pressing Instance of the Congress of Massachusetts Bay for an imediate Augmentation of Troops from our Colony. In consequence Expresses are dispatched to call our Assembly to meet at Hartford on Saturday next. Generals Washington & Lee are now on their way to the Army. The Warriours from Virginia & Pensylvania are coming forward. I have received this morn^{g} a speech & Belt from the Oneida Tribe of Indians & have inclosed their Speech.

Col^{o} Hinman at Ticonderoga writes 19th Instant. "The Enemy are fortifying at St. John's & last Night was informed that the Cognawaga Indians "have had a War-dance, being bro't to it by Gen^{l} Carleton." A Quantity of flour from Gen^{l} Congress for the Army is arrived safe at Norwich and more expected. Have a Report with us this day (hope it is true) that a large Quantity of Powder is arrived at N. York, & a Quantity from this Colony at N. London.

May our eyes be unto God the Supream Director of all Events, to Give

Wisdom, Stability & union to all our Counsels, to inspire our Soldiery with Courage & Fortitude, to cover their Heads in the Days of Battle and Danger, to convince our Enemies of their mistaken measures, and that all attempts to deprive us of our Rights are injurious & vain.

I am, with great Truth & Regard
Gentlemen,
Your most obedient humble servant,

JONA. TRUMBULL.

To the Hon^ble Congress of the
Colony of New Hampshire.

Letter from Hon. John Hancock, of the Continental Congress to the Provincial Congress of New Hampshire.

[Copied from MS. State Pap. Rev^n, Vol. II., p. 1.]

Philadelphia, June 27, 1775.

GENTLEMEN —

By the unanimous vote of this Congress I am Directed to assure you they have a high sense of your services in the common cause of the United Colonies and to inform you of the appointment of the several general officers to command the Continental Forces, a List of whom I now Inclose you; the subordinate officers to be Recommended by the Provincial Congresses to the General, to whom Commissions from this Congress are sent to be filled up, agreeable to such Recommendation.

I am, Gentlemen,
Your most obed^t Hum^b Serv^t

JOHN HANCOCK, President.

To the members of the Provincial Congress,
or Committee of New Hampshire.
Portsmouth.

A Speech of the Chiefs and Warriors of the Oneida Tribe of Indians, To the four New England Provinces, directed to Governor Trumbull of Connecticut and by him to be communicated.

[Copied from MS. State Pap. Rev^n, Vol. I., p. 295. (1)]

As my younger Brothers of the New England Indians (who were settled in our vicinity) are now going down to visit their Friends and to move up parts of their Families that were left behind, with this *Belt* by them, I open the Rode wide, clearing it of all obstacles that they may visit their Friends & Return to their settlement here in Peace.

We Oneidas are induced to this measure on acc^t of the disagreeable situation of affairs that Way & We hope by the Help of God they may go and return in Peace. We earnestly recommend them to your Charity thro' their long Journey.

Now We more imediately address you our Brother, the Governor and the Chiefs of New England.

Brothers! We have heard of the unhappy Differences & great Contention betwixt you & Old England. We wonder greatly & are troubled in our Minds.

(1) A copy of the same is contained in Amer. Ar., 4 Ser., Vol. II., p. 1116. — ED.

Brothers! Possess your Minds in Peace respecting us Indians; we cannot intermeddle in this Dispute between two Brothers. The quarrel seems to be unnatural. You are two Brothers of one Blood. We are unwilling to Join on either side in such a contest, for we bear an equal Affection to both of you, Old & New England. Should the Great King of England apply to us for our aid, we shall Deny him; if the Colonies apply, we still Refuse. The Present Scituation of you Two Brothers is new & strange to us. We Indians cannot find nor recollect in the Traditions of our Ancestors the like case or a similar Instance.

Brothers! For these Reasons possess your Minds in Peace and Take no umbrage that we Refuse joining in the Contest. We are for Peace.

Brothers! Was it an Alien, a Foreign Nation who had struck you, we should look into the matter. We hope thro' the wise Government & good Pleasure of God, your distresses may soon be Removed & the dark cloud be dispersed.

Brothers! As we have declared for Peace, We desire you would not apply to our Indian Brethren in New England for their assistance. Let us Indians be all of one Mind & live in peace with one another, and you white people settle your own Disputes betwixt yourselves.

Brothers! We have now Declared our minds please write to us that we may know yours.

We the Sachems, Warriors & Female Governesses of Oneida, send our Love to you Brother Governour & all the other Chiefs in New England.

Signed by

WM. SUNOGHSIS
NIKLASHA WATSHALEAGH
WM. KANAGHQUASEALE
PETER THAYCHEARE
GIMINE TAGEHAUKER
NICKLESS AHSENHASE
THOMAS YOGHTANAWED
ADAM CHOWANO
QUEDELLIS AGWERONDONGWAS.
HANDEREKKO TEGAHSWEAHDYON
JOHNKS SKEANENDEN
THOMAS TEONDETHUA. (1)

Chief & Warriors of the Oneida Nation.

Kannowarohare,
June 19th 1775.

Interpreted & wrote by Saml Kirtland, Missry.

A true copy of the original, Directed to the Honble Jonth Trumbull, Esq.- Governor of Connecticut.

JONA. TRUMBULL.

Directed to the Provincial Congress of New Hampshire.

(1) See these Indian names in Am. Ar., 4 Ser., Vol. II., p. 1118, where the orthography differs considerably from the above. — ED.

Journal of the House resumed from p. 511.

[P. 81.] In Congress, June 27th 1775.(1)

Met according to adjournment.

Voted That 2 of our 24 pound Cannon, & 2 other smaller Cannon, be forthwith fitted with Carriages & sent to our army at Medford, & that Ezekiel Worthen, & Jos. Sias, Esqrs, Capt. Garvin & Wingate be a Committee to fitt up the afores^d cannon with proper implements for their use, and send them to the army with all possible dispatch.

Voted, That Noah Emery Esq^r, Mr. Moses Parsons, the Rev. Mr. Stearns, Esq^r Lovewell & Major Welch be desired to Draw up a Resolve for taking up Deserters, &c.

Voted, That Mr. Fletcher, Deacon Stephen Sleeper and Major Weeks be desired to Draw up a Resolve or Recommendation to the inhabitants of this Colony to save Rags for the use of the army, &c.

Voted, That the Committee of Safety be and hereby are Directed to answer that part of General Folsom's letter relateing to Matrosses and to make such orders concerning them as the said Committee shall think best.

Voted, That Gen^l Folsome be desired to apprehend Mess^rs Jason Russell & John Tarbell of Mason, a complaint being exhibited to this Congress of their being guilty of Theft, and send them to the Comittee of Safety in Mason, in order that they may be Try'd, & if convicted, punished for so heinous a crime.

Adjourned to 3 o'clock.

Complaint of Committee of Mason to New Hampshire Congress.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1109.]

To the Honourable Gentlemen of the Provincial Congress of New Hampshire:

That Whereas, Jason Russell and John Tarbell both of Mason, in said Province, did, in a felonious manner, on or about the 20th of May last, retire to a pasture in said Town belonging to Samuel Dana, of Groton, and took from thence a three year old heifer, and killed and converted it to their own use; whereupon, early notice being given to the Committee for said Town they met, and required of the offenders full satisfaction therefor: but each of them peremptorily refusing to comply therewith; the advice of Committees from neighboring Towns being called in, viz. New Ipswich and Temple, and the criminals being cited to appear before said Committees, not only neglected to make their appearance before us, but, as we learn, have fled to the army; and finding ourselves unable to settle the unhappy difficulty by reason of their escape, came into the following Resolution: viz.

(1) See Record of the votes which follow, on the 27th, in MS. State Pap. Rev., Vol. I., pp. 351, 352.—Ed.

Resolved, To refer the matter to your judicious consideration, begging that you will, in your wisdom, take cognizance of the offence, and deal with them in this and in such like cases for the future.

EPHRAIM ADAMS, Chairman,
DAVID BLODGETT, Scribe.

Mason, June 26, 1775.

June 28th.

Whereas some Few souldiers in the service of this Colony in the American army have already or may Desert the said service: It is therefore Recommended to the several & respective Committees in the several Towns, Parishes & Precints in this Colony, to take up & secure all such Deserters and convey them safely to their proper officers at Head Quarters, and that the charges of such taking & conveying be paid out of such Deserters' Wages — and that all such souldiers as are absent from Duty, on Furlough, shall Imediately on coming home repair to such Committee and shew them or some of them their said Furlough, or otherwise such souldier shall be Deemed a Deserter and be dealt with accordingly.

And whereas sundry Thefts and Robberies are supposed to be committed by some Ill-disposed Persons on the goods & Chattels of other Persons, It is therefore recommended to the said several & respective Committees Diligently to Inspect into all such Thefts & Robberies, and to take and secure all such persons within their respective Precincts, as shall be found to have any such stolen goods & chattels, & to punish such persons according to the Nature & Degree of their offence, and to secure such goods & chattels for the right owner; and any Person having such suspected goods or chattels in their Possession, who will not give to such Committee (when requested) a satisfactory account how they gained the property or possession thereof, such person or persons shall be Deemed Delinquent & Punished by such Committee accordingly.

And it is further recommended to all such Towns, Parishes, Districts and Precincts in this Colony, as have not already chosen such Committee that they forthwith choose & appoint such Committee in their respective Precincts, for the Peace and good order of the People.

The above Voted June 28th 1775, and that a Copy be sent to Portsm° to be printed in handbills & sent to the several Respective Towns &c. in this Colony & that it be likewise printed in the Cambridge newspaper as soon as may be.(1)

[P. 82.] Voted. That all the Provincial & County Records (that are now kept in the Town of Portsmouth) be removed to some place of more safety.

(1) The above copied from MS. State Pap., Vol. I., p. 361.—ED.

Voted, That the Records be removed to Exeter & that Messrs Sam[l] Brooks, John McClary, Esq[r], & Noah Emery be a Committee to look out a place or places in Exeter to put s[d] Records in.

Adjourned to 8 o'clock tomorrow.

June 29[th], 1775.

Met according to adjournment.

The Congress heard Col[o] Stark's Complaint & dismissed the same. (1)

Voted, That Jos: Welch, & Sam[l] Hobert, Esq[r] be & hereby are, appointed Paymaster of the Troops now employed by this Colony in the American Army, and that they proceed as soon as may be, to the Army, and pay one months wages to the officers & soldiers, and previous to the paying of the soldiers that they Receive of the Capt. or the commanding officer of each Company, a compleat muster Role of their respective Companies, upon oath & return the same to this Congress, or to the Committee of Safety, and that they take a Receipt for all the money paid, from each officer & soldier: And further, that they pay no officer or soldiers who have not taken the Oaths & have been or shall be mustered by the Muster master, as able bodied Effective men — Also that Joseph Welch Esq[r] assist the muster-master in mustering the men unmustered at the army; and also that they pay no more than Ten Companies in a Regim[t], of sixty men in a Company including officers.

Adjourned till 3 o'clock,

[P. 83.] P. M.

Voted, That whereas it is necessary that the officers and soldiers Raised & to be raised in this Colony for the Preservation & defence of this & the other Colonies in America, should be fully acquainted with their duty and that the Articles, Rules & Regulations thereof be made as plain as possible, and having great confidence in the honor & Public virtue of the Inhabitants of this Colony, that they will readily obey the officers chosen and appointed by this Congress and will cheerfully do their duty when known, without any such severe articles & Rules & cruel Punishments (excepting in Capital cases) as are usually Practised in standing armies, and will submit to all such rules and regulations as are founded in reason Honor & virtue: — It is therefore resolved, That the following Rules, Articles & Regulations for our said Troops, be and hereby are earnestly recommended to be strictly adhered to by all officers, soldiers & others concerned, as they

(1) The editor has not found any complaint of Col. Stark's on record or on file, besides what is implied and included in the letters of Gen. Folsom. [See *ante*, pp. 528–530.—] Ed.

regard their own Honor & the Publick Good. The Rules or Articles of War Voted, are those voted in the Massachusetts Colony from No. 1 to 53 inclusive and now Printed.

NOTE BY THE EDITOR.

The Articles of War as adopted by New Hampshire, have not been found in the State Archives: but the Editor has personally examined those adopted by Massachusetts, and finds that the same were subsequently adopted, with others, by the Continental Congress. (1) The Massachusetts Articles were also adopted by the Colony of Rhode Island; and, with only a change of terms suited to New Hampshire, are, as follows:

Rules and Articles of War for the Army raised by the Province of New Hampshire.

Article 1. All officers and soldiers, not having just impediment, shall diligently frequent divine service and sermon, in the places appointed for assembling of the regiment, troop or company to which they belong; and such as wilfully absent themselves, or being present, behave indecently or irreverently, shall, if commissioned officers, be brought before a regimental court martial, there to be publickly and severely reprimanded by the president; if non-commissioned officers or soldiers, every person so offending, shall, for his first offence forfeit one shilling to be deducted out of his wages; for the second offence, he shall not only forfeit one shilling, but be confined, not exceeding twenty-four hours; and for every like offence, shall suffer and pay in like manner; which money, so forfeited, shall be applied to the use of the sick soldiers of the troop or company to which the offender belongs.

Art. 2. Whatsoever non-commissioned officer or soldier shall use any profane oath or execration, shall incur the penalties expressed in the foregoing Article; and if a commissioned officer be thus guilty of profane cursing or swearing, he shall forfeit and pay for each and every such offence, the sum of four shillings lawfull money.

Art. 3. Any officer or soldier who shall behave himself with contempt or disrespect towards the General or Generals, or Commander-in-chief of the New Hampshire forces, or shall speak false words tending to his or their hurt or dishonour, shall be punished according to the nature of his offence, by the judgment of a General Court Martial.

Art. 4. Any officer or soldier who shall begin, excite, cause or join in any mutiny or sedition in the regiment, troop, or company to which he belongs, or in any other regiment, troop, or company of the New Hampshire forces, either by land or by sea, or in any part, post, detachment or guard, on any pretence whatsoever, shall suffer such punishment as by a General Court-Martial shall be ordered.

Art. 5. Any officer, non-commissioned officer or soldier, who being present at any mutiny or sedition, does not use his utmost endeavors to suppress the same, on coming to the knowledge of any mutiny or intended mutiny does not, without delay, give information thereof to the Commanding officer, shall be punished by order of a general court-martial according to the nature of his offence.

Art. 6. Any officer or soldier who shall strike his superiour officer, or draw, or offer to draw, or shall lift up any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatsoever,

(1) See the Articles in full, as adopted by Congress, in Amer. Ar., 4 Ser., Vol. II., pp. 1855—1863. See also Rhode Island Articles in R. I. Col. Rec., Vol. VII., pp. 340-346, compared with Mass. Articles in Sec'y's office, Mass. Proceedings of Congress at Watertown, Feb'y, 1775.—Ed.

or shall disobey any lawful commands of his superiour officer, shall suffer such punishment as shall, according to the nature of his offence, be ordered by the sentence of a General Court-Martial.

Art. 7. Any non-commissioned officer or soldier who shall desert, or without leave of his commanding officer, absent himself from the troop or company to which he belongs, or from any detachment of the same, shall, upon being convicted thereof, be punished according to the nature of his offence, at the discretion of a General Court-Martial.

Art. 8. Whatsoever officer or soldier shall be convicted of having advised or persuaded any other officer or soldier to desert, shall suffer such punishment as shall be ordered by the sentence of a General Court-Martial.

Art. 9. All officers, of what condition soever, shall have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another regiment, troop, or company, and either order officers to be arrested, or non-commissioned officers or soldiers to be confined and imprisoned, till their proper superiour officers shall be acquainted therewith; and whoever shall refuse to obey such officer (though of an inferior rank) or shall draw his sword upon him, shall be punished at the discretion of a General Court-Martial.

Art. 10. No officer or soldier shall use any reproachful or provoking speeches, or gestures to another, nor shall presume to send a challenge to any person to fight a duel; and whoever shall knowingly and willingly suffer any person whatsoever to go forth to fight a duel, or shall second, promote, or carry any challenge, shall be deemed as a principal; and whatsoever officer or soldier shall upbraid another for refusing a challenge, shall also be considered as a challenger; and all such offenders, in any of these or such like cases, shall be punished at the discretion of a General Court-Martial.

Art. 11. Every officer commanding in quarters, or on a march, shall keep good order, and, to the utmost of his power, redress all such abuses or disorders which may be committed by any officer or soldier under his command; if upon any complaint being made to him, of officers or soldiers beating or otherwise ill-treating any person, or if committing any kind of riot, to the disquieting of the inhabitants of this continent, he, the said commander, who shall refuse or omit to see justice done on the offender or offenders, and reparation made to the party or parties injured, as far as the offenders wages shall enable him or them, shall, upon due proof thereof, be punished as ordered by a General Court-Martial, in such manner as if he himself had committed the crimes or disorders complained of.

Art. 12. If any officer shall think himself to be wronged by his Colonel, or the commanding officer of the regiment, and shall, upon due application made to him be refused to be redressed, he may complain to the General or commander-in-chief of the New Hampshire forces, in order to obtain justice, who is hereby required to examine into said complaint, and see that justice be done.

Art. 13. If any inferiour officer or soldier shall think himself wronged by his captain, or other officer commanding the Troop or company to which he belongs, he is to complain thereof to the commanding officer of the regiment, who is hereby required to summon a regimental court-martial for the doing justice to the complainant, from which regimental court-martial either party may, if he thinks himself still aggrieved, appeal to a General court-martial; but, if, upon a second hearing, the appeal shall appear to be vexatious and groundless, the person so appealing shall be punished at the discretion of the General Court-martial.

Art. 14. Whatsoever non-commissioned officer or soldier shall be convicted, at a regimental court-martial, of having sold, or designedly, or through neglect, wasted the ammunition, arms, or provisions, or other military stores, delivered out to him, to be employed in the service of this Province, shall, if an officer be reduced to a private sentinel, and if a private soldier, shall suffer such punishment as shall be ordered by a regimental court-martial.

Art. 15. All non-commissioned officers and soldiers who shall be found one mile from the camp, without leave in writing from their commanding officer, shall suffer such punishment, as shall be inflicted on him or them by the sentence of a regimental Court-martial.

Art. 16. No officer or soldier shall lie out of his quarters or camp without leave from the commanding officer of the regiment, upon penalty of being punished, according to the nature of his offence, by order of a regimental court-martial.

Art. 17. Every non-commissioned officer and soldier shall retire to his quarters or tent at the beating of the retreat; in default of which, he shall be punished according to the nature of his offence, by order of the commanding officer.

Art. 18. No officer, non-commissioned officer or soldier, shall fail of repairing, at the time fixed, to the place of parade or exercise, or other rendezvous appointed by the commanding officer, if not prevented by sickness or some other evident necessity, or shall go from the said place of rendezvous, or from his guard, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on penalty of being punished, according to the nature of the offence, by the sentence of a regimental Court martial.

Art. 19. Whatsoever commissioned officer shall be found drunk on his guard, party, or duty, under arms, shall be cashiered for it; any non-commissioned officer or soldier so offending, shall suffer such punishment as shall be ordered by the sentence of a regimental Court-martial.

Art. 20. Whatsoever sentinel shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer such punishment as shall be ordered by the sentence of a General Court-martial.

Art. 21. Any person belonging to the New Hampshire Army, who, by discharging of fire-arms, beating of drums, or by any other means whatsoever, shall occasion false alarms, in camp or quarters, shall suffer such punishment as shall be ordered by the sentence of a General Court-martial.

Art. 22. Any officer or soldier who shall, without urgent necessity, or without leave of his superior officer, quit his platoon or division, shall be punished, according to the nature of his offence, by the sentence of a Regimental Court-martial.

Art. 23. No officer or soldier shall do violence, or offer any insult or abuse to any person who shall bring Provisions or other necessaries to the Camp or Quarters of the New Hampshire army; any officer or soldier, so offending, shall upon complaint being made to the commanding officer, suffer such punishment as shall be ordered by a regimental court-martial.

Art. 24. Whatsoever officer or soldier shall shamefully abandon any Post committed to his charge, or shall speak words inducing others to do the like in time of an engagement, shall suffer death immediately.

Art. 25. Any person belonging to the New Hampshire army, who shall make known the watch word to any person who is not entitled to receive it according to the rules and discipline of war, or shall presume to give a parole or watchword different from what he received, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court-martial.

Art. 26. Whosoever, belonging to the New Hampshire Army, shall relieve the enemy with money, victuals, or ammunition, or shall knowingly harbour or protect an enemy, shall suffer such punishment as by a general court-martial shall be ordered.

Art. 27. Whosoever, belonging to the New Hampshire Army, shall be convicted of holding correspondence with, or of giving intelligence to the enemy, either directly or indirectly shall suffer such punishment as by a general Court-martial shall be ordered.

Art. 28. All public stores taken in the enemy's camp or magazines, whether of Artillery, ammunition, clothing, or provisions, shall be secured for the use of the province of New Hampshire.

Art. 29. If any officer or soldier shall leave his post or colours in time of an engagement, to go in search of plunder, he shall, upon being convicted thereof before a General Court-martial, suffer such punishment as by the said court-martial shall be ordered.

Art. 30. If any commander of any Post, Intrenchment or Fortress, shall be compelled by the officers or soldiers under his command, to give it up to the enemy, or to abandon it, the commissioned officer, non-commissioned officers, or soldiers, who shall be convicted of having so offended, shall suffer death, or such other punishment as may be inflicted upon them by the sentence of a General Court-martial.

Art. 31. All sutlers and Retailers to a Camp, and all persons whatsoever serving with the New Hampshire army in the field, though not enlisted soldiers, are to be subject to the Articles, Rules and Regulations of the New Hampshire Army.

Art. 32. No General Court-martial shall consist of a less number than thirteen, none of which shall be under the degree of a commissioned officer, and the President shall be a field officer; and the President of each and every court-martial, whether General or Regimental, shall have power to administer an oath to every witness, in order to the trial of offenders; and the members of all courts-martial shall be duly sworn by the President, and the next in rank on the Court-martial shall administer the oath to the President.

Art. 33. The members, both of general and regimental Courts-martial, shall, when belonging to different corps, take the same rank which they hold in the army; but when courts-martial shall be composed of officers of one corps, they shall take their ranks according to their commissions by which they are mustered in said corps.

Art. 34. All the members of a Court-martial are to behave with calmness, decency, and impartiality, and in giving of their votes, are to begin with the youngest or lowest in commission.

Art. 35. No field officer shall be tried by any person under the degree of a captain; nor shall any proceedings or trials be carried on excepting between the hours of eight in the morning and three in the afternoon, except in cases which require an immediate example.

Art. 36. The commissioned officers of every regiment may, by the appointment of their colonel or commanding officer, hold regimental Court-martial for the inquiring into such disputes or criminal matters as may come before them, and for the inflicting corporeal punishment for small offences, and shall give judgment by the majority of voices; but no sentence shall be executed till the commanding officer (not being a member of the Court-martial) shall have confirmed the same.

Art. 37. No regimental Court-martial shall consist of less than five officers, excepting in cases where that number cannot be conveniently assembled, when three may be sufficient, who are likewise to determine upon the sentence by the majority of voices; which sentence is to be confirmed by the commanding officer, not being a member of the Court-martial.

Art. 38. Every officer commanding in any Fort, Castle, or Barrack, or elsewhere, where the corps under his command consists of detachments from different regiments, or of independent companies, may assemble Courts-martial, for the trial of offenders, in the same manner as if they were regimental, whose sentence is not to be executed till it shall be confirmed by the said commanding officer.

Art. 39. No person whatsoever shall use any menacing words, signs, or gestures, in the presence of a court-martial then sitting, or shall cause any disorder or riot, so as to disturb their proceeding, on the penalty of being punished at the discretion of the said Court-martial.

Art. 40. To the end that offenders may be brought to justice, whenever any officer or soldier shall commit a crime deserving punishment, he shall, by his commanding officer, if an officer, be put in arrest; if a non-commis-

sioned officer or soldier, be imprisoned till he shall be either tried by a Court-martial, or shall be lawfully discharged, by proper authority.

Art. 41. No officer or soldier who shall be put in arrest or imprisonment shall continue in his confinement more than eight days, or till such time as a Court-martial can be conveniently assembled.

Art. 42. No officer commanding a guard or Provost-marshal, shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the New Hampshire forces; which officer shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged.

Art. 43. No officer commanding a guard, or Provost-marshal, shall presume to release any prisoner committed to his charge without proper authority for so doing, nor shall he suffer any prisoner to escape, on the penalty of being punished for it by the sentence of a General Court-martial.

Art. 44. Every officer or Provost-marshal, to whose charge prisoners shall be committed, is hereby required, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, to give in writing to the colonel of the regiment to whom the prisoner belongs (where the prisoner is confined upon the guard belonging to the said regiment, and that his offence only relates to the neglect of duty in his own Corps) or to the commander-in-chief, their names, their crimes, and the names of the officers who committed them, on the penalty of being punished for his disobedience or neglect, at the discretion of a General Court-martial.

Art. 45. And if any officer under arrest shall leave his confinement before he is at liberty by the officer who confined him, or by a superior power, he shall be cashiered for it.

Art. 46. Whatsoever commissioned officer shall be convicted before a general Court-martial of behaving in a scandalous, infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from the service.

Art. 47. All officers, conductors, gunners, matrosses, drivers, or any other persons whatsoever, receiving pay or hire in the service of the New Hampshire Artillery, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by Courts-martial, in like manner with the officers and soldiers of the New Hampshire troops.

Art. 48. In differences arising amongst themselves, or in matters relating solely to their own corps, the Courts-martial may be composed of their own officers; but where a number sufficient of such officers cannot be assembled or in matters wherein other corps are interested the officers of Artillery shall sit in Courts-martial with the officers of the other corps.

Art. 49. All crimes, not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the Articles of War, are to be taken cognizance of by a general or regimental Court-martial, according to the nature and degree of the offence, and be punished at their discretion.

Art. 50. No Court-martial shall order any offender to be whipped or receive more than thirty nine stripes for any offence.

Art. 51. The field officers of each and every regiment are to appoint some suitable person belonging to such regiment, to receive all such fines as may arise within the same, for any breach of any of the foregoing Articles, and shall direct the same to be carefully and properly applied to the relief of such sick, wounded or necessitous soldiers as belong to such regiment; and such person shall account with such officer for all fines received, and the application thereof.

Art. 52. All members sitting in Courts-martial shall be sworn by the President of said Courts, which President shall himself be sworn by the officer in said court next in rank; the Oath to be administered previous to their proceeding to the trial of any offender, in form following, viz:

"*You, A. B. swear that you will well and truly try and impartially determine the cause of the prisoner now to be tried, according to the Rules for regulating the New Hampshire army.* So HELP YOU GOD."

Art. 53. All persons called to give evidence, in any case, before a court-martial, who shall refuse to give evidence, shall be punished for such refusal at the discretion of such court-martial: The oath to be administered in the following form, viz:

"*You swear the evidence you shall give in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth:* So HELP YOU GOD.

Voted, That Col^{o} John Fenton is not a friend to this country.

Voted, That the Records & files of the Secretaries office & clerk's office of the Superiour Court, be kept at Jno. Rice, Esq^{s}.

The Register of Deeds office be kept at Deacon Sam^{l} Brooks.

Register of Probates office be kept at William Parker's, jun^{r} Esq^{s}.

Inferi^{r} Court & Quarter Sessions offices records &c. to be kept at Noah Emery's, Esq^{s}.

Voted, That Mess^{rs} Sam^{l} Brooks, Capt. Steph^{n} Evans, Maj^{r} Weeks, Sam^{l} Dudley Esq. & Lieut Th^{s} Bartlett be a Committee to remove the Records to the above mentioned places as soon as may be.

[P. 84.] Voted, That the Secretary, the Clerk of the Sup^{r} Court, the Register of Deeds, the Register of the Court of Probate & the Clerk of the Inferior Court & Quarter Sessions, be requested to accompany the Committee with the several Records to Exeter, & to keep them agreeable to a Resolve of this Congress, until further directions from s^{d} Congress, and in case those Gentlemen should refuse to go to Exeter & keep their Respective offices there, then the Committee are impower'd to Receive & give Rec^{t} for the Records.

Adjourned to 8 o'clock tomorrow.

June 30th.

Met according to adjournment.

Voted That Gen^{l} Folsom's commission be dated y^{e} 24th May & that he rank as a Maj^{r} General.

Voted That Whereas the Committee of Safety have appointed Alex^{r} Scamel (1) to be a Brigade Maj^{r}, Voted that he have pay

(1) ALEXANDER SCAMMELL, afterwards distinguished in military life, was born in Mendon, now Milford, Mass., graduated at Harvard College, 1769. He studied law with Gen. John Sullivan, of Durham, N. H., assisted Capt. Holland in surveys for his map of New Hampshire, 1774; in 1776, he was appointed Colonel of the 3d N. H. Regiment. In 1780, he was Adjutant General in the Continental army under Gen. Washington, in which office he remained till his death. At the siege of Yorktown, September 30, he was officer of the day, and while reconnoitering the enemy's position, was surprised by a party of their horse, taken prisoner, and afterwards wounded by them. He died at Williamsburg, Va., Oct. 6, 1781, aged about 33 years. [See Biog. Notice in Potter's Mil. Hist., Adj. Gen. Rep., Vol. II., p. 302, Allen's Biog. Dic., &c. — ED.

accordingly, which is to be agreeable to what is paid in the Mass^{a} Colony for such an officer.

Voted, That Mr. Sam^{l} Brooks be of the Committee of Supplys instead of Col. Nich^{s} Gilman.

Voted, That a Committee be chosen & appointed to take out of the custody of Col^{o} John Fenton, the Files and Records of the Court of Common Pleas, General Sessions of the Peace & Courts of Probate for the County of Grafton, and that the same be delivered for safe keeping to Col^{o} John Herd & that Col. Beedel (1) Israel Morey Esq^{r}, Mr. Abel Webster, Capt. Matthew Thornton & Capt. Weston, be a Committee for the purpose mentioned above.

[p. 85.] Voted, That it be & is hereby recommended to the Justices of the several Courts of Common Pleas, Courts of Judicature & Quarter Sessions, for the several Counties in this Colony, That they adjourn their respective Courts by Proclamation or otherways, to the first day of the next Term of Each of s^{d} courts respectively, till further advice of this Congress. Adjourned till 3 o'clock.

P. M.

Voted, That Capt Sam^{l} Langdon have 42 lb of the Colony Powder for his Company at Portsm^{o}, they pay^{s} for the same.

Voted, That the Committee of Safety, and they only, shall draw orders on the Treasurer or Receiver General for all and any sum or sums of money that shall be or is already voted for the Supplies of our Forces as the s^{d} Committee shall find occasion, and the s^{d} Treasurer or Receiver General is hereby directed to pay no orders but such as afores^{d}, & the s^{d} committee of Safety are to be accountable to this Congress for all the money drawn out of the Treasury by their order. Adjourned for one & a half hour.

Met according to adjournment.

Voted, That Col^{o} Fenton be confined.

Voted, That Col^{o} John Fenton be confined in the Goal in this Town, till further orders from this Congress.

Voted, That Col^{o} John Fenton be supported like a Gentle^{n} at the Expence of this Colony, till further Ord^{r} from this Congress.

Adjourn'd till 8 o'clock tomorrow.

[p. 86.] July 1st.

Met according to adjournment.

Voted, That Col^{o} John Fenton be sent to Head Quarters of the New Hamp^{r} Forces.

(1) Col. TIMOTHY BEDELL, whose name frequently occurs in these Provincial Papers, was one of the brave and firm patriots of the Revolution. His history is best learned by reference to the offices which he held during the period of the Indian wars from 1754–1763, and also in the Revolutionary period. The reader is referred to his name in the Index in this and preceding volumes. He was the *grandfather?* of Gen. John Bedell of Bath, and of the Hon. Hazen Bedell of Colebrook, N. H. — ED.

Voted, That the Proclamation Issued by the Continental Congress of the 12th Inst. appointing 20th July to be kept as a day of Fasting & prayer be printed & sent to all the Towns in this Colony.

Proclamation for a day of Fasting and Prayer.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1846.]

[In Continental Congress.] Monday, June 12, 1775.

The Committee appointed for preparing a Resolve for a Fast, brought in a Report; which being read, was agreed to, as follows, viz.

As the great Governour of the world, by his supreme and universal providence, not only conducts the course of nature with unerring wisdom and rectitude, but frequently influences the minds of men to serve the wise and gracious purposes of his providential government; and it being, at all times, our indispensable duty devoutly to acknowledge his superintending providence, especially in times of impending danger and publick calamity, to reverence and adore his immutable Justice as well as to implore his merciful interposition for our deliverance:

This Congress, therefore, considering the present critical, alarming, and calamitious state of these Colonies, do earnestly recommend that, *Thursday*, the twentieth day of July next, be observed by the inhabitants of all the English Colonies on this Continent, as a day of publick humiliation, fasting and prayer; that we may, with united hearts and voices, unfeignedly confess and deplore our many sins, and offer up our joint supplications to the all-wise, omnipotent, and merciful Disposer of all events; humbly beseeching him to forgive our iniquities, to remove our present calamities, to avert those desolating judgments with which we are threatened, and to bless our rightful Sovereign, King GEORGE the Third, and inspire him with wisdom to discern and pursue the true interest of all his subjects, that a speedy end may be put to the civil discord between Great Britain and the American Colonies, without further effusion of blood; and that the British Nation may be influenced to regard the things that belong to her peace, before they are hid from her eyes; that these Colonies may be ever under the care and protection of a kind Providence, and be prospered in all their interests; that the divine blessing may descend and rest upon all our civil rulers, and upon the Representatives of the people in the several Assemblies and Conventions, that they may be directed to wise and effectual measures for preserving the union, and securing the just rights and privileges of the Colonies; that virtue and true religion may revive and flourish throughout our land; and that America may soon behold a gracious interposition of Heaven, for the redress of her many grievances, the restoration of her invaded rights, a reconciliation with the Parent state on terms constitutional and honourable to both; and that her civil and religious privileges may be secured to the latest posterity.

And it is recommended to Christians of all denominations, to assemble for publick worship, and to abstain from servile labour and recreation on said day.

Ordered, That a copy of the above be signed by the President, and attested by the Secretary, and published in the newspapers and in handbills.

Voted that Capt Moulton be desired to take four men out of Capt. Elkins' Compa & an officer at Hampton & send Colo Fenton to Head Quarters, agreeable to the vote of this Congress, as soon as may be.

Voted, That the Committee of Safety be & hereby are directed to answer that part of Genl Folsome's letter relating to Matrosses

& to make such orders concerning them as the s[d] Committee shall think best.

Voted, That Mess[rs] Sam[l] Sherburne, Peirce Long, Col. Nich[s] Gilman, & Ebenezer Thompson, Esq[r] be a Committee to bring in a draft for an Emission of a further sum of paper Notes.

Voted, That Mess[rs] Capt. Jerem[h] Folsom, Maj[r] Chiles, Rev. Mr. Webster, Sam[l] Dudley Esq., Enoch Hale Esq., Antipas Gilman & Deacon Knowles, be a Committee to bring in a plan in order to Regulate the Militia of this Colony.

Voted. That a Committee be chosen to confer with y[e] Congress in the Mass[a] and if they then see best with the Assembly in Rhode Island & Conn[t], respecting the information w[ch] we have Rec[d] of the situation of Ticonderoga, Crown Point & Canada & the Frontiers of New York & New Hamp[r], & endeavoring to gain such further intelligence as they can procure of the situation of Canada, & the views of those Assemblies relative to any plan [P. 87.] of operations in those parts & that the above Committee proceed with the utmost expedition in the business to which they are chosen, and that Mess[rs] Jona Child & Oliver Ashley be a Committee for the above purpose.

Voted That this Congress is adjourned till 3 o'clock, Monday P. M.

Monday, July 3[d] P. M.

Met according to adjournment.

The Committee appointed to wait on the Hon. Theodore Atkinson & George Jaffrey, Esq[rs], reported that they received of the Hon[ble] George Jaffrey Esq. the sum of £1516:4:8 Proc[n] Money and further reported as on file.

Voted, That the Committee afores[d] deliver the money bro't from Mr. Treasurer Jaffrey to Col[o] Nicholas Gilman Receiver General appointed by this Congress, and take his receipt therefore & make report to this Congress.

Voted, that the thanks of this Congress be given to the Hon[ble] George Jaffrey Esq[r] for his ready compliance to pay into the hands of the Committee the public money.

Voted, That the thanks of this Congress be given to the Committee who received the public money for their faithful and able discharge of the trust committed to them in demanding and receiving the Colony's moneys from the Hon[ble] George Jaffrey, Esq[r].

A letter from Dr. Wheelock giving an acc[t] of the State of matters in Canada laid before the Congress, and after considering thereon

Voted that Timothy Bedel & Mr. John Wheelock Immediately proceed to the Congress of the Colony of the Massachusetts Bay, with a copy of said Letter & further Inform them relative thereto. Adjourned till to morrow 8 o'clock.

Letter to the Massachusetts Congress relating to Canada.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 21.]

Exeter, July 3, 1775.

GENTLEMEN —

We take the earliest opportunity to convey to you some Intelligence we have just receiv'd from Canada, by the way of Mr. Dean, a missionary lately come from that country. We enclose copies of two letters from Dr. Wheelock and from a Committee in Hanover. Mr. Wheelock & Col^{o} Bedel, who will take the charge of this, will be able to give you perhaps some further particulars.

We wish to have as soon as possible your judgment on the matter, & shall probably defer acting untill we hear from you. If any plan of operations towards or in Canada is suitable, we wish to act in concert with you & the other Colonies in the neighborhood. We trust we shall not be backward in exerting ourselves in the common Defence, but would act with caution in a matter of Importance.

We are with Respect, Gentlemen,
Your Friends & Brethren
in the common cause,
In the name & by the order of the Congress.

Hon^{bl} Congress of the Colony of the Mass^{a} Bay.

Letter from Rev. Dr. Eleazer Wheelock.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 3.]

Dartmo' College, June 28, 1775.

To the Honourable Provincial Congress now sitting at Exeter—

Much respected Gentlemen —

Yesterday Mr. Dean returned from his Tour to Canada where I sent him in the capacity of a Missionary last March with a view to strengthen and perpetuate that Friendship which has lately commenced between the Indian Tribes in that Quarter and the Seminary, attach them to these Colonies, and secure these Frontiers from an invasion from that Quarter; And on hearing his Narrative, the Intelligence appeared so interesting, and the authority so good, that I thought best to send him forward immediately to the Hon^{bl} Continental Congress, whose measures I thought would probably be governed in some important Respects by his accounts.

The Tribes of Indians near Montreal & Quebec are doubtless well affected towards these Colonies and the cause we are engaged in: But about 40 savages from a great distance came to Montreal with a profession of coming to a Congress or Treaty, he understood, at the desire of the Governor, who ordered the Commissary to make Provision for the Entertainment of three Hundred more, by which he supposed that number was expected soon. The neighboring Tribes will none of them join with the Governor, excepting that the Caghnawagas, to save themselves from being destroyed, have engaged to assist in defending him at Montreal; but to go no further; and gave the fullest evidence that this concession was only for self-preservation, and Mr. Dean is confident that the Governor can't persuade an Indian there so much as to conduct those foreigners through the woods to our settlements. He further informs that the inhabitants of Canada were much alarmed at our peoples' taking the Forts on the Lake; and that upon it the Regulars exerted themselves much in preparing themselves for an attack from our soldiers, and that this appeared to be their grand object when he left the place. But

my son, who comes on purpose, can give you a more full & particular account of this & of the present state of Oswego, &c.

And I would humbly propose to your consideration, Gentlemen, whether it be not expedient, and of the first and greatest importance to the safety of the whole, that all these frontier Towns be well and speedily supplyed with fire-arms & ammunition, and as much as they can, put themselves into a posture of defence: and that in order hereto, some method to procure such stores be pointed out to them by the Hon^bl Congress and also some means be provided to make it practicable by such as are poor and unable to purchase for themselves.

I most heartily pray the Father of Lights to direct you in your consultations and Determinations on this most interesting affair: And Am, much respected Gentlemen,

Your most obedient
and very humble Servant,

ELEAZER WHEELOCK.

P. S. My son can inform you of the measures used by the Canadian Indians to engage all their allies not to join against us.

Since I wrote the foregoing Letter I have seen a man direct from Albany, and late from Mount Johnson, who informs me that Col^o G. Johnson has lately received Presents to the amount of £3,000 from the King to be disposed of to ingage the Indians within his Jurisdiction against the Colonies; and that all his Endeavours for that purpose have been fruitless, that not one of the Indians would go to receive the Present — that said superintendant is withdrawn with his Family & presents by the way of Oswego, but where he is going is not known — that the Mohocks & Oneidas are firm for the Colonies, which also agrees with other accounts.

Thursday July 4^th 1775.

Voted That Noah Emery Esq. be & hereby is Appointed Deputy Secretary of this Congress.

The Complaint & Petition of Enoch Bean being read & considered, It is refer'd to the Committee of Safety of Gilmantown.

[P. 88.] Voted, That the Rev^d Mr. Sam^l Webster, Israel Morey Esq^r and John McClary Esq^r be a Committee to make a draft of a vote for Establishing & Encouraging sundry Manufactury in this Colony.

Voted, That Capt. Matthew Thornton & John Dudley Esq^r be added to the Comittee for bringing in a plan for regulating the Militia.

Voted, that the Committee of Safety be and hereby are Directed to draw on the Treasurer or Receiver General for one months pay to be paid to the Widows or legal Representatives of officers & souldiers as have been killed in the service of this Colony in the Present unhappy warr.

Voted, That the consideration of settling & officering the Militia of this Colony be postponed till further consideration of this Congress.

Voted, That Col^o Bartlett, Col^o Hurd and the Hon^ble Col.

Weare be joined to the Committee to bring in a Draft for an Emission of a further sum of Paper Notes.

Voted, That a Publick Stock of Fire arms shall be provided for the use of this Colony.

Voted, That five hundred good fire arms be Provided & that a Committee of three members of this body be chosen to procure them as soon as may be, and that Capt. Jeremiah Folsom, Mr. Moses Parsons and Capt. Stephen Evens be the Committee for that Purpose, and that they Previously Enquire how cheap they can procure them, and make report as soon as may be to this Congress, if sitting, or otherwise to the Committee of Safety, upon whose approbation they are to procure the same. Also that the Committee of Safety be and hereby are Impowered to Advance out of the Treasury such sums as they shall think proper, to the said Committee for Procuring Materials for the Purpose of making Fire arms &c.

Adjourned till 8 o'clock in the morning.

[P. 89.] July 6th 1775.

Met according to adjournm^{t}.

A Petition being read from the Town of Monadnock No. 5(1) the Congress have taken the same under consideration.

Resolved, That it be & hereby is recommended to the said Town of Monadnock, No. 5, that they proceed to choose, as soon as may be, the several Town officers, which may be necessary for the internal Government of s^{d} Town, such as Selectmen, Constables &c. as are chosen in other Towns in this Colony at their annual Town meeting; also that they choose a Committee of Safety, or of Correspondence for said Town, and also that the s^{d} Town (if occasion requires it) may use the money in the hands of Mr. James Lewis, for the purpose of purchasing of fire arms & ammunition, and for w^{ch} money s^{d} Town is to be accountable to this Colony or Congress & County of Cheshire, when Demanded, and further it is Resolved, that Mr. Jonathan Frost be, & hereby is appointed by this Congress, the moderator of the first meeting in s^{d} Town, & that Mess^{rs} Jonathan Frost, Benj^{a} Tucker & Thomas Riggs, be & hereby are impower'd to call s^{d} meeting.

Resolved, That the Receiver General of this Colony appointed by the Congress, be hereby impowered to give his Note of hand on the Faith of the Colony payable to the possessor for the further sum of Ten thousand pounds of the present currency or Lawfull money to be paid into the Treasury afores^{d} by a Tax on the Polls & Estates of the Inhabitants of this Colony in the following manner, viz:

(1) Now Marlborough.—Ed.

Two thousand pounds to be paid by the 20th Decr wch will be in the year of our Lord 1776, and the sum of three thousand [p. 90.] pounds by the 20th Decr 1777; Three thousand pounds by the 20th Decr 1778, Two thousand pounds by the 20th Decr 1779; and the Notes shall be printed off with printing Types under the care and direction of the Honbl Meshech Weare Esqr & Capt. Peirce Long, being a Committee appointed by this Congress for that Purpose — Eight thousand Pounds of which first mentioned to carry Interest the same with those already emitted & to be of ye following Denominations, viz.—

Three thousand nine hundred & ninety nine pounds to be in Bills of three pounds each: two thousand & one pounds in Bills of thirty shillings, nine hundred ninety nine pounds, fifteen shillings in Bills of fifteen shillings; — six hundred sixty seven pounds in Bills of Ten shillings; three hundred thirty three pounds five shillings in Bills of five shillings, making in the whole the sd Eight thousand pounds. The Form of sd Notes to be in the following words with such other Device as may be order'd by the Congress or Committee, viz:

Colony of New Hampr } No.

The possessor of this Note shall be entitled to Receive out of the Treasury of this Colony the sum of . . . . . shillings Lawfull money on the 20th Decr 177 with Interest at the rate of six per ct. pr Annum, and this Note shall be recd in all payments at the Treasury at any time after the date hereof for the principal sum without Interest if paid before the sd 20th day December A. D. 177

E. T. N. G.

[p. 91.] And the Treasurer or Committee who shall number the same shall fill the Blank left for time of payment in a number of Bills sufficient to compleat Two thousand pounds, with the figure 6, & a number to compleat three thousand with the figure 7, & three thousand pounds with the figure 8.

The remaining two thousand pounds to be small Bills of the following Denominations, without Intr. viz: One hundred pounds in Bills of six pence, one hundred & fifty pounds in Bills of nine pence, three hundred pounds in Bills of one shilling & six pence, three hundred & fifty pounds in Bills of two shillings & six pence, six hundred pounds in Bills of three shillings, making in all the sd sum of two thousand pounds. The Bills to be in the following Forms:

Colony of New Hampshire July 25, 1775.

The possessor of this Note shall be intitled to Receive of the Treasurer of this Colony, the sum of . . . . . Lawfull money, on the 20th Decr 1779, & this Note shall be received in all payments at the Treasury at any time after the date hereof.

E. T. N. G.

And all the above Notes when redeemed shall be consumed to ashes in the presence of the Representatives of this Colony as a Committee appointed by them for that purpose.

Adjourned to 3 o'clock, afternoon.

Met according to adjournment.

Rec'd a petition from a number of gentlemen at Portsm° respecting the removing of the several Records from the Town of Portsm° to Exeter, which being read & considered, then

[P. 92.] Voted, That the vote be not reconsidered as desired by the petitioners.

Voted, That two Congresses not exceeding 66 men each, including officers, be raised of the Inhabitants of this Colony to be commissioned by the Committee of Safety, and that they be stationed as this Congress or Committee of Safety shall think proper.

Voted, That Col° Meshech Weare be of the Committee of Safety.

Voted, That the Hon^ble^ Meshech Weare, Esq^r^ be President Pro Tempore.

Voted That the Committee of Newbury Port have the loan of two 24 pound or 32, or 6 pound cannon, & that the Rev^d^ Mr. Sterns & Mr. Webster be a Com^tee^ to acquaint them of the same.

Voted, That it be & hereby is recommended to the Selectmen or Committee to take exact list of all the fire arms fitt for use in their respective Towns & Parishes, in this Colony; also of what are wanting in each Town & Parish & Lay the same before this Congress at their next meeting by their Delegates.

Voted, That this Congress be adjourned to 8 o'clock tomorrow.

July 6^th^.

Met according to adjournm^t^.

Voted, That the Plate which was used in striking off the 10,050£ be altered by erasing the date and disfiguring the Devices upon the plates & that Ebenezer Thompson & Geo. Frost. Esq^rs^ be a Committee to see it done, & then deliver the s^d^ Plates to the Receiver General for the purpose of keeping the same safe.

[P. 93.] Voted & Resolved by this Convention, that any persons who may be detected in counterfeiting & passing any of the Treasurer's Notes of this Colony, shall upon full conviction of the Crime, before this or any future Convention of the Colony, be deemed an Enemy or Enemies to their Country, and punished according to the Discretion of the s^d^ Convention before w^ch^ he or they may be so try'd & convicted. Adjourned till 3 o'clock.

P. M.

Voted, That the following Receipt be entered into this Book, viz:

Exeter, July 4th 1775. Recd by virtue of the above vote of Provincial Congress from the Committee the Sum of fifteen hundred & Eleven pounds 2s 8 Proclamation money Recd into the Province Treasury.

pr. Nichs Gilman, Recr Genl.

Voted, That Capt. John Parker have orders to Enlist one of the Companys last voted to be raised in this Colony, and that Asa Pattee be recommended for his Lieutenant.

Voted, That Capt. James Osgood have orders to Enlist the other of said Compas And that Capt. Matthew Thornton be recommended for his Lieutenant.

Voted, That Capt. Peirce Long be Excus'd as a Committee man to take the care & Direction of Printing off the Notes ordered by this Congress to be printed, And that Samuel Cutts, Esq., be & hereby is chosen & appointed for that purpose in the room & stead of said Capt. Long.

Voted, That this Congress be adjourned till tomorrow 7 o'clock, A. M.

July 7th.

Met according to adjournment.

The Committee appointed to remove the Publick records &c. make the following returns, viz. That they proceeded to Portsmouth the Fourth and Sixth Inst. Received & bro't to Exeter & [p. 94.] Deposited in the several places ordered by the Congress All the Records & Rolls from the several offices (mentioned in their Instructions) which were shewn to them, Excepting some books of Charters which the Honble Secretary Atkinson Informed the Committee that Govr Wentworth had sent for a few days since.

Letter from Hon. Theodore Atkinson.

[Copied from MS. State Pap. &c., Vol. II., p. 25.]

Portsmouth, New Hampr, July 6, 1775.

Gentlemen —

In answer to your request touching my Delivery of the records & files belonging to and now in the Secretary's office of this Province, I beg leave to acquaint you that I am by his Majesty's Special Commission appointed Secretary of this Province during his Majesty's Pleasure & my residence in the Province, and agreeable thereto I was admitted & sworn into that office & had the keeping the archives belonging thereto deliver'd to me and put under my Direction & in my keeping. You cannot but see my Honour and my Oath forbids my consent or even my connivance in such a Delivery, — unless accompanied with his Majesty's supersedent or my not being in this Province. Gentlemen — The Difficulties, I may say the Distresses in the Prov-

ince, & indeed of the whole Continent are such that every cause of additional Perplexity need be avoided. I have, Gentlemen, no tho'ts of attempting to maintain the security of the Records in my custody by force — this I know would have no good effect; my aim is only to remove any grounds of complaint that may be against me for either Neglect or mal-Practice in the Execution of my said office.

I am, Gent^{n}, with proper Regards
your Humb^{l} Serv^{t}

THEODORE ATKINSON.(1)

To Maj^{r} Will^{m} Weeks & the
rest of Committee.

Whereas this Congress have resolved it as their opinion, That all the Publick records of this Colony were in this time of Danger unsafe in the Town of Portsmouth, and that the same should be removed to the Town of Exeter, all which records have in consequence thereof been removed by a Committee appointed for that purpose, as far as came to their knowledge, Except the books of charters of the several Towns in this Colony, Therefore It is now Resolved That the Hon^{ble} Theodore Atkinson, Esq^{r} Secretary of this Colony is accountable to the People for said Records, and he ought without delay to Deliver the same to said Committee.

Whereas by a vote of this Congress of the 28th June last the Publick records were ordered to be Removed to Exeter as a place of safety, and as the real Intent of the vote may be mistaken, or not understood, It is Now resolved that it was the sole Intent & meaning of this Congress in removing the aforesaid Records, that they might be kept in a place of more security than they apprehended Portsmouth to be, and not to fix them from being removed again to Portsmouth whenever the Present Difficulty & Danger may subside.

Voted, That Deacon Samuel Brooks, Noah Emery, William Parker, jun^{r} and John Rice Esq^{rs} be desired to take care & keep in safety the Respective records lately left in their custody untill the respective officers shall take charge of them, or 'till further orders of this Congress.

[P. 95.] Whereas by and in consequence of a Law of this Colony, considerable sums of money have been paid by foreign vessells entering the Port of Piscataqua, which was by said Law to have been appropriated for purchasing Powder for the use of the Colony, and whereas a part thereof has been lately paid by the Exec^{r} of the Testament of the late Gov^{r} Benning Wentworth to Samuel Livermore Esq^{r} Attorney General; and as the state of the Colony now greatly Needs said moneys for Providing Powder for the Defence of this Colony according to the original Intention of the aforesaid Law — Therefore Resolved that John Hurd & Israel Morey Esq^{rs} and Mr. Abel Webster be a Committee to call upon & receive the aforesaid monies of the said Sam^{l} Livermore

(1) See copy of another letter, written for the Congress at Exeter by Sec'y Atkinson, but not sent — in Amer. Ar., 4 ser., Vol. II., p. 1600.—ED.

Esq^r, and in behalf of this Congress to give him a receipt therefor sufficient to Indemnify him for the Delivery thereof.

Voted the Committee of Safety be desired to write a Letter to the Continental Congress, and that the President sign the same in the name & behalf of this Congress, therein setting forth the state of our forces and the situation of this Colony, &c.

Voted, That the Committee for procuring Fire arms be and hereby are directed to procure the same forthwith on the best terms they can.

Voted, That this Congress be adjourned to Tuesday the 22^d day of August next, at three of the clock afternoon to meet at this place, and that if anything should happen in the mean time, that the Committee of Safety shall think of sufficient consequence that they have power to convene this Congress sooner — Adjourned to August 22^d 1775.

CORRESPONDENCE.

NOTE. The following Corrrespondence is on file, relating to certain publick affairs of the Province between June 28, and August 22, 1775. Most of these letters and papers are found in the MS. "State Papers Revolution," Vol. II., pp. 7–70.—ED.

Letter from Moses Emersom, Esq., Commissary.

["Prov^{e} & Revolutionary Papers," in Sec^{ys} office, p. 33.] (1)

Medford, June 28th, 1775.

Hon^{ble} Com^{tee} of Safety,

GENTL^{n}

I am favour'd with yours of the 26th Inst. pr. Mr. Deering who arrived this day and delivered the articles sent by him I should have wrote before this, but have not as yet been able to get any regular Returns of our Troops. Ever since the engagement they have been all hurry and confusion; busie entrenching & preparing to receive the Enemy. The Troops that were in the late engagement lost their Blanketts & Cloths, the former of which is but poorly supply'd by the arrival of Deering, many more are wanting. As for Picks & Shovels there is a supply having bought some & received some from Cambridge. Gen. Folsome informs me that he has wrote the needful with respect to Surgeons in Col^{o} Stark's & Reed's Regiment. Before I arrived Col^{o} Stark's borrowed a large Chest of Medicine of Massachusetts, which with that brought by Doct^{r} Adams & a small one sent by Doct^{r} Cutter is tho't to be a pretty good supply for the present. I have not as yet begun to deliv^{r} out stores, but expect to begin the day after tomorrow, if a supply comes in; at present have but eleven Barr^{ls} Pork, & 10 of Flour in store. Every thing is unsettled yet, can't inform you what quantity of fresh Beef our Troops can consume in a Week, sho'd think near 6000 lbs. Tents, wooden Bowles & Platters & Spoons are very much wanted. I shall endeavor to informe you of affairs by every opportunity and am with respect,

Your Obed^{t} hum^{bl} serv^{s},

MOSES EMERSON.

July 1st

GENT^{n}

Missing the opportunity of sending the foregoing can informe you of the receipt of nine bbls. Pork more, 51 bbls. of Flour, 7 Tierces Rice, 14 Firkins Butter & 49 Quin^{ts} Fish. Yesterday I began to Deliver Stores to our Troops and find my hands full. Gen^{l} Washington is expected at Watertown this day, great preparations are making for his Reception. There is great cry among the soldiers for their Money.

I am your Obed^{t} Serv^{t}

MOSES EMERSON.

(1) The MS. volume in Secretary's office from which this letter is copied, is distinct from the "State Papers" in which most of the other correspondence is found.—ED.

[Copied from MS. State Pap. Rev^{n}, Vol. I., p. 293.]

In the Committee of Safety,

Exeter, June 28, 1775.

Sir.—

Dr. Ezra Green is appointed Surgeon of Reed's regiment if he will accept. We are inform'd he is now with the army. You'll Please to let him know he is appointed. The Cannon are getting ready with all possible dispatch. What you mention of the Artillery Company is under consideration of the Congress. We have not time add, as the bearer is waiting & in a great hurry, but shall write you fully by the paymaster, who will be with you this week. Please to see that the enclosed is carefully deliver'd.

To General Folsom.

Letter from Committee of Supplies.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 7.]

Watertown, [Mass.] June 30th, 1775.

Gentlemen—We understand that you have signified in a letter to Mr. Langdon the President of Harvard College, that you had some Cannon mounted & would send them if wanted. We therefore beg leave to inform you that orders have been sent us from y^{e} Camp for those twenty-four Pounders more than we have now ready, & that we apprehend it very important that they should be forwarded as soon as may be.

We are, respectfully, Gentlemen
Your most obed^{t} serv^{t}

David Cheever, pr. Order.

Hon^{ble} Cammittee of
Safety New Hampshire.

Letter to Gen. Folsom.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 9.]

In Committee of Safety, Exeter July 1st 1775.

It gives us great Pleasure to find by yours of y^{e} 26 last month that a reconciliation had taken place between you & Col. Stark: We doubt not you'll use your utmost endeavours to keep up a good Harmony among the Troops, in order thereto, We agree with you that a due subordination must be observed; Maj^{r} Hobart who is appointed pay master, will have Commissions for Stark's & Reed's Regiments & is to consult you on filling up the vacancies. Two 24 & two double fortified six pounders are to be sent off tomorrow morning from Hampton. The Artillery Company is not rais'd nor have we been able to get suitable officers for that service, we think it advisable that you shou'd inquire if a good man for that business can be engaged & what encouragement he will expect; when we can be inform'd of this, shall lay it before the Congress, we suppose if good officers can be obtained, men may be inlisted out of the Battalion, more suitable for that purpose than elsewhere. We enclose your Commission & hope that the appointment of any other General officer will not be expected.

We are your Friends & Hum^{bl} serv^{ts}.

By order of the Committee

Gen^{l} Folsom.

Indorsed "Letter to Gen^{l} Folsom
July 1, 1775, copy."

Letter from Gen. Folsom to N. H. Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 11.]

To the Hon^{ble} Committee of Safety for the Colony of New Hampshire:

GENTLEMEN —

Being obliged for want of proper Tents to quarter Col^{o} Poor's Regiment in Barracks at Medford, which has created me much trouble and Difficulty, they being a mile & a half Distant from Camp, last evening eighteen men, under the command of Capt. Rowe deserted; which might have been prevented, had they been regularly encamped. The reason, I understand, which they assigned to their Capt. before they deserted (He not giving me or his Col^{o} the least notice thereof, till 6 o'clock this morning) was, that they didn't intend when they enlisted, to join the Army, but to be station'd at Hampton. Col^{o} Poor has sent after them; but if he can't get them back, hope you will take some effectual method to send them as soon as possible, and to prevent and discourage future Desertions; For otherwise, if they are pass'd over with impunity, their example will induce others; and by that means cause such a Defection of the Troops, as will weaken, if not entirely break up your whole Battalion. Wednesday last the whole of the New Hampshire Troops fit for Duty were order'd to their alarum Posts, when I found that we were not able to line our Breastwork more than two deep, our Lines being necessarily extensive on account of the situation of our Camp; Therefore desire that the two remaining Companies now station'd at Portsmouth and Hampton may be sent, if you can possibly spare them; There being not one quarter part of the Troops in ours as in the other lines at Cambridge, Roxbury and on Prospect Hill. In a few days the Breastwork will be compleated, by which time, the Cannon I wrote for, I hope, will arrive: So that we may be prepared to give the ministerial Troops a proper Reception, should they attempt to force our Lines. Nothing remarkable has transpired since my last. The Enemy are fortyfying themselves as strong as possible on Bunkers Hill, & when they have compleated their works, 'tis probable they will land somewhere near where the New Hampshire Troops are encamped; It being very convenient for them to bring up their floating Batteries upon our left wing. However, hope to give a good account of a Part of them at least, whenever they come.

Y^{r} Obed^{t} Humble Serv^{t}

NATHL. FOLSOM.

Camp on Winter Hill
July 1st 1775.

[Copied from MS. State Pap., Rev^{n}, Vol. II., p. 15.]

IN COMMITTEE OF SAFETY,
Exeter July 1st 1775.

To Col. Reed, of the 3d New Hampshire Regiment.

SIR — The Committee without knowing that you had in actual service or in your eye, any person as Adjutant of your Regiment, have commissioned Mr. . . . . McGregore, a young man we imagine very suitable for that place. If any person you judge suitable, is disposed to act as a volunteer without pay, in that capacity, we have no objections, unless it should plainly appear to us that he would not answer the end. But you will easily perceive the unsuitableness of recalling the Commission from Mr. McGregore for no reason on his part & commission^{g} & paying a person of whom, till another was appointed we had not so much as a recommendation. You may assure yourself that so far as the publick service will allow we shall take pleasure in gratifying you or the Regiment or any individual; But altho' we should be willing to make use of any & the best information, we must insist upon it, that our appointments should take place, as the contrary might be attended with boundless difficulties.

By order of the Committee.

Letter from Hon. John Langdon of the Continental Congress, to Matthew Thornton, Esq.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 17.]

Philadelphia, 3^{d} July, 1775.

Matthew Thornton, Esq.

SIR — Before this comes to hand (no doubt) Brigadier General Sullivan, who set out for home last Tuesday, will have waited on you or the Committee of the Province, to whom I beg leave to Refer for particulars. Since his departure, we hear that several companies of expert Riflemen have marched from Virginia and Mariland; six Companies from the Colony will march this week to join the army before Boston. I have also the pleasure to inform you that the powder mills are going on fast, having been supplied with several tons of salt petre, the manufactory of which article is like to meet with great success here, as also in Virginia, and without doubt, in two or three months, will be able to furnish large quantities.

We hear from South Carolina, that a considerable quantity of powder was arrived there, some of which will be immediately forwarded to our army before Boston; this may be depended on. There has been also within a few days, a considerable quantity sent from this place to our Army. Every method has been taken, and still continues to be taken, for the importation of large supplies of that necessary article of powder, some of which is expected in a few days. Its not likely that I shall be able to get powder to send to our province, as the whole will be in the hands of the Committee, to be sent from time to time to our army; therefore if any should be wanting for the common Cause, no doubt it may soon be had from the army. Here I beg leave to suggest that we should not by any means (at present) make use of cannon, if it is possible to avoid it, until we are more fully supplied with powder.

The Assembly of this Province have voted to raise four thousand five hundred minute men, to be ready immediately, every measure seems to be taking to defend our just rights to the last Extremity; the general voice of the people here is, that our cause is just, and that God is on our side as has evidently appeared.

The low mean revenge and wanton cruelty of the ministerial sons of tyranny, in burning the pleasant Town of Charlestown, Beggars all Description; this does not look like the fight of those who have so long been Friends, and would hope to be Friends again, but rather of a most cruel Enemy, tho' we shall not wonder when we Reflect that it is the infernal hand of Tyranny which always has and ever will Delluge that part of the world (which it lays hold of) in Blood.

I am in some hopes that the Congress will rise in ab^{t} fortnight, but this is meer conjecture, as it will depend on what news we may receive from our army, and some other matters.

I am very sorry to be alone, in so great and important Business as that of representing a whole Colony, which no man is equal to, but how to avoid it, I know not; whether it will be worth while (at this uncertainty) to send me any assistance, our Hon^{bl} Convention will be Judges. I shall endeavor as far as my poor abilities will admit of, to render every service in my power to my Country. I am with great Respect,

your most obed^{t} serv^{t}.

JOHN LANGDON.

Orders to Capt. John Parker.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 31.]

In Committee of Safety, Exeter, July 7th 1775.

Capt. John Parker —

We have determined to appoint a gentleman belonging to the Upper Coos, Ensign of the Company you were authorized to enlist by the orders this day delivered to you. You & your Lieut. are therefore hereby directed to enlist *fifty-three* men & no more, notwithstanding the Tenor of the said orders.

By order of the Committee.

W. WHIPPLE, Ch^{n} P. T.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 27.]

In Committee of Safety, Exeter, July 7th, 1775.

To SETH WHEELER — greeting —

SR — You are hereby impowered immediately to enlist ten able-bodied effective men, well accoutred as soldiers in the New Hampshire service for the preservation of American Liberty, and cause them to pass muster as soon as possible.

By order of the Committee,

WM. WHIPPLE, Chairman, P. T.

In Committee of Safety, Exeter, July 7th, 1775.

To SETH WHEELER —

SIR — Whereas you have this day received orders for enlisting ten men as soldiers in the New Hampshire service for the Preservation of American Liberty — you are hereby acquainted that the Commission of an Ensign in said service shall be made out for you as soon as your Inlistment is compleated & the men have past muster. You and the said men to be enlisted are to be under the command of Capt. John Parker of Litchfield in the County of Hillsborough.

By order of the Committee.

WM. WHIPPLE, Chairman, P. T.

New Hampshire Committee of Safety to their Delegates in the Continental Congress, July 8, 1775.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 29.]

GENT^{n} —

The Congress of this Colony adj^{d} yesterday to the 22^{d} of next month, having delegated their power to this Com^{tee} during their recess, to provide for the publick safety.

In a former letter the Cong^{s} informed you that this Colony chose Deputies who met the 17th of May last in Congress at Exeter and voted to raise 2000 men for the common defence of the Colonies, which men have been some time now raised and put under the care of Nath^{l} Folsom Esq^{r} who was appointed a Major General, under the commander-in-chief of the American forces, and have joined the army before Boston, Except 2 Companies for the guard of our sea coast at present. The news from Canada of their Hostile preparations (an account of which from Connecticut & by Mr. Dean missionary from Canada, we expect will reach you before this) have so alarmed

the Inland frontiers that the Congress have ordered 3 Companies of 66 men each to be raised & posted for their defence — the cost of raising so many men you will readily see to be a Difficult task for so small a Colony, without any money to begin with; we have wrote to you & the congress on the situation of our affairs several times, but not receiving any Directions, we have Emitted £10,000 L. M. in notes of hand on the credit of this Colony, payable with 6 pr cent Interest, and have ordered 10,000£ more to be forthwith Emitted for supplying the present Exigencies of the Colony. Some conceive some Resolve of the American Congress, giving such notes a Currency would be of great service. We are greatly concerned for Gunpowder as we have scarce any except what was taken out of the fort last winter, a considerable part of which we have sent to the army before Boston & some to our western frontiers. We hope some plan is laid for bringing it into the Southern Colonies as New England is so watched there is but little hope of getting it in here. The Ships of war & Cutters previous to the first of this month seized all vessels laden with provisions, salt or molasses, which have much distressed the Eastern parts, but not discouraged them: They have destroyed fort Wm. & Mary, and carried off the Cannon to Boston; However 8 large pieces taken from Jersey's Point some time ago are secured & some of them now pointed agst Boston.

We are anxious to know the Results of your deliberations in order to conduct the affairs of this Colony which at this time is in some confusion, the people not suffering things to proceed in their former manner. The General Court has twice met, but has not & we believe will not proceed to the public Business. We desire you as often as opportunity will permit to write to this Congress or the Committee of Safety at Exeter and inform us from time to time as much as the affairs of the publick as is permitted, in particular the Directions of the Congress concerning Providing for & paying the army raised for the common defence. On the 12 of June last Col. John Fenton who was chosen a member of the General Court by virtue of the King's or Governour's Writ without the consent of the Assembly made his appearance in the House; tho' he had for some time before kept on Board the man-of-war in the harbour; the House took into consideration his Election & vacated his seat. Soon after the people of the Town greatly exasperated at his conduct obliged him to surrender, tho' he had taken shelter in the Governor's House, and our Congress have since confined him. The Governor and his family went off that Evening to Capt. Cochran's under the protection of the man-of-war where they still remain. The Public Records being thought unsafe in the Town of Portsmouth have all by order of Congress been removed to Exeter, except the Books of Charters which, the Secretary says, the Governor has at present in his Possession. A committee from this Body has demanded & Received from George Jaffrey Esq^{r} 1500 pounds, part of the publick money in his hands.

Letter to Rev. Dr. John Langdon.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 41.]

In Committee of Safety, Exeter, July 8, 1775.

Rev'd Sir — We have sent several letters to Camb^{d} to be forwarded to the Continental Congress, but as we have had no acc^{t} from the Congress nor our Delegates of their being received we fear by some means or other they have been neglected. The enclosed letter is of great consequence to us, therefore beg the favor of you to forward it by the first safe conveyance: By your connection with the General its probable you'll know of every opportunity. which we hope will be a sufficient apology for troubling you.

I am in behalf of said Committee,

W. Whipple, Chairman, P. T.

Rev. Dr. Langdon.

Letter to the Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 33.]

New Hamp^{r}, Exeter, July 8th, 1775.

Gent^{n} —

As the state of American affairs daily appears more critical, and we are exerting ourselves in every way we conceive expedient to aid the common cause, we think it our duty to give you the earliest account of our transactions, that thereby you may be enabled to direct our future conduct.

We wrote you some time since an acc^{t} of our being formed into a Congress on the 17th of May last, and Resolved to raise 2 thousand men &c. which we hope you have received. Twenty eight of our companies of 66 men each (Including officers) are *our* posted in the vicinity of Boston, and we have appointed Nathan^{l} Follsom Esq^{r} Major General to take charge of them, under the command of the General of the United American forces; and Two Companys of the like number each are posted as a guard on our sea-coast. Since which we have raised three companys of the same number each for a Guard against the incursions of the Canadians into the Frontiers of this & the adjoining Colonies, who are greatly alarmed at the repeated accounts of preparations making agst them in Canada, many of the Inhabitants whereof are within two days march of the French and Indian Settlements. We have but very little Gun powder in the Colony, nor have we any prospect of a supply at present as our sea-coast is strictly watched by men-of-war & Cutters; but hope soon to have a sufficient number of fire arms of our own manufacturing to make up our present Deficiency, though we find great difficulty in procuring steel for that purpose.

The Colony is at Present wholly governed by this Congress & the Committee of the respective Towns. But we greatly desire some other Regulations as our present situation is attended with many Difficultys; but shall not attempt any thing of that kind without Direction. There is great unanimity among us in what concerns the common cause; those that do not join with us are silent, and dare not openly attempt to obstruct our measures. The Restraining Bill is strictly enforced on our Sea-coast by armed vessels, & some seizures have been made by virtue thereof. We understand Mr. Dean, a missionary among the Canada Indians lately from there, is now on his Journey to Philadelphia and will give you an acc^{t} of the state of affairs there, from which you will, we hope be able to concert some Plan to frustrate the designs forming against us in that Quarter; in which if required, we shall be ready to assist to the utmost of our ability.

We are gentlemen, with the utmost respect,
Your most obedient humble servants.
By order of the Congress of the Colony of New Hampshire. (1)

Meshech Weare, President pro tempore.

Honourable members of the Continental Congress.

Orders Respecting Deserters.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 35.]

In Committee of Safety.

Exeter July 8, 1775.

Whereas the Provincial Congress have Recommended to the several & Respective Com^{teee} in the several Towns, Parishes and precincts in this Colony to take up & secure Deserters from the American army, and cause them to be convey'd safely to their proper officers at head-quarters, and this measure

(1) See the above letter as printed in Am. Ar., 4 Ser., Vol. II., p. 1614. — Ed.

must appear to every one to be of great importance to the American cause; And as we are informed the Town of Newtown having no such Com^tee the Selectmen Laudably therefore Endeavoured to answer the Design of the Congress in sending back a Deserter but met with opposition in accomplishing the same:

We, therefore, Recommend it to the Inhabitants of Newtown (of whose zeal and Disposition to serve the common cause we cannot Doubt) That they exert themselves in Endeavoring to have such Deserters apprehended & Return'd to their respective companies, and in supporting the Selectmen and others in Doing the same; and that all such persons as shall Endeavour by any means to obstruct or hinder them therein be taken proper notice of according to the Nature of their offence, and if need be put under Guard: And also, That the Town as soon as may be, proceed to choose a Com^tee as Recommended by the Congress.

Indorsed — "Orders given the Town of Newtown respecting Deserters, July 8, 1775."

[Copied from MS. State Pap. Rev^n, Vol. II., p. 37.]

In Provincial Congress,

Watertown [Mass.] July 8^th, 1775.

Gent'n —

We received your favor of the 3^d Inst. by Mr. Wheelock & Col. *Beetle*, and much rejoice to find the Hon^ble Congress of New Hampshire, and the good people of your Government in general, are so warmly attach'd to the common cause.

We highly approve of Mr. Dean's being sent to the Continental Congress, more especially as he is so well acquainted in Canada, and lately came from thence; and we think it is a matter of great importance to New York, and all the New England Colonies in particular, and to America in general, to satisfy our friends in Canada, that we are truly friendly to them, and also effectually to prevent our inveterate Enemies there from making depredations on our Frontiers — And as we have the greatest confidence in the wisdom & vigilance of that Hon^ble Body, therefore we think it most advisable to wait their determination.

We are, with great respect, Gentlemen,

[Signature torn off.]

Indorsed — "Letter from Provincial Congress at Watertown, July 8, 1775."

Letter from Rev. Jeremy Belknap.

[Copied from MS. State Pap. Rev^n, Vol. II., p. 39.]

Dover, July 10, 1775.

Gent'n —

I am just now favored with a Line from my worthy Brother, Mr. Sam^l Webster, who, I take it is one of your number, acquainting me of the choice you have been so kind as to make of me to serve as Chaplain to our Troops. From some part of Mr. Webster's Letter I am led to conclude that the ministers in the other parts of this Province have engaged to supply the army by turns; if this plan meets with the approbation of the Committee, I shall be ready to perform my part whenever I am apprized of the proper time; but to reside there constantly in the character of chaplain is what many considerations beside the precarious state of my health concur to forbid.

Suffer me, Gent[n] to add, I know of no person better qualified than Mr. Webster for that office; his Piety, Gravity, Readiness at extemporaneous performances, & freedom from the Incumbrance of a family render him peculiarly suitable. I have the pleasure to assure you that Doctor Haven who so earnestly recommended the matter to me does as heartily join in recommending Mr. Webster to this appointment.

I am extremely obliged to you for the honor you have done me in this application, & am, Gentlemen, with the greatest Respect,

Y[r] very humble servant,

JEREMY BELKNAP.

Application for Cannon Shot.

[Copied from MS. State Pap. Rev[n], Vol. II., p. 41.]

CHAMBER OF SUPPLIES,
Watertown, July 12, 1775.

GENTLEMEN —

General Washington has sent a Memorandum for 400 Rounds of 32 pound shot & we have ordered y[e] same from the Furnace which we employ; but lest we should be disappointed in point of time, we think it necessary to apply for y[e] same, to be sent from Portsmouth if to be procured.

We are truly, Gentlemen, your very humble serv[t]

DAVID CHEEVER, pr order.

The Gentlemen of the
Committee of Safety.

Francestown Committee.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1651.]

Whereas it has been falsely reported that the Committee of Safety for Francestown were not fairly and legally chosen, and by reason of said report the publick were dissatisfied with the proceedings of said Committee; whereupon, We, the Selectmen of said Francestown, judged it our duty to call in some disinterested persons to determine the matter, and thereupon sent to the Committees of Safety for two neighbouring Towns, who, when convened, unanimously voted and agreed that Said Committee were fairly and legally chosen, and had good right to act in all cases for the safety of said Francestown, and that their proceedings and determinations are and ought to be as valid as the proceedings and determinations of any Committee of Safety in any Town whatever.

Signed by order of the Selectmen.

WILLIAM MCMASTER, Town Clerk.

Francestown, July 12, 1775.

Hillsborough Committee.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1652.]

Amherst, July 13, 1775.

Whereas the Delegates for the County of Hillsborough in the Province of New Hampshire, in Congress, appointed a Committee from several Towns to hear, examine and try John Quigley, Esq. a person lately confined in the Jail at Amherst, on suspicion of being an enemy to the liberties of America, and lately liberated from said Jail, but still behaves as an open and avowed enemy

to the liberties of America: Said Quigley being notified of time and place of trial did not appear; Ordered, That his contempt be recorded: And upon a full and fair examination of sundry evidences, we find him guilty of the several crimes laid to his charge, and we look upon him as a dangerous person to be suffered to go at large; and we do hereby caution all persons from all connections with him.

DAVID BADGER, per order of Committee.

[Copied from Amer. Ar., 4 Ser., Vol. II., p. 1652.]

IN COMMITTEE OF SAFETY.

Exeter, July 19, 1775.

SIR —

The bearer hereof John Quigly Esq. has met with difficulty, and thinks it unsafe for him to tarry at the place of his usual abode, by reason of a disaffection in some persons against him. We would recommend it to you, to take him into your company in the common service.

Captain TIMOTHY BEDEL.

John Quigly's Declaration.

Whereas there has been wickedly and maliciously raised and propagated against me, the subscriber, certain scandalous falsehoods, with an intent, as must be supposed, to cause the publick to view me in the odious light of an enemy to my Country; whereupon I declare that I never said or did anything with an intent to destroy the liberties of America, or to hurt the publick good, and am now ready to risk my life and fortune in the defence of my Country's just rights, when properly called, as it always has been and still is my sincere wish to live in peace and harmony with my Country, and serious determination to promote to the utmost of my power the publick weal and tranquillity of the same, whose glory I view as closely connected with my own interest; and I hope my future conduct will prove the sincerity of my present declaration.

JOHN QUIGLY.

Francestown, July 26, 1775.

IN COMMITTEE OF SAFETY.

Francestown, July 26, 1775.

Resolved, That the foregoing declaration of John Quigly, Esq. now laid before the Committee, is fully satisfactory to us, and we hope will remove any ill impressions that may have been made on the minds of the good people of this Continent, in consequence of his being committed to jail or confined there; as we put up an advertisement, desireing all persons that had anything to offer against said Quigly to bring it in to us, and no proper evidence appearing to oppose the said Quigly, and it appearing to us that many false reports has been made and spread against said Quigly, and this being the second trial; we, upon examination, not finding just cause to deem him an enemy to this Country; therefore, it is our opinion that the said Quigly ought to be received and treated as a friend to his Country.

Signed by order of the Committee,

WILLIAM MCMASTER, Cler.

Letter from Col. James Reed to the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 47.]

Camp at Winter Hill, July the 19, 1775.

GENTLEMEN —

I Received yours of the 1st Instance and note the contents — you say, Without knowing that I had in actual service or in my eye any person as Adjutant of my Regiment, have commissioned Mr. McGregor a suitable person &c. I doubt not but McGregor is a worthy and suitable Gentleman for an Adjutant and is agreeable to me and I wish he had ben so to the Regiment; but to my surprise when he order'd the Gards to be peraded I soon Learnt they Refused to appear; I was under the necessity to order the Capt. to p'rade them and they Imediately obeyed. You may be assured I should have Don Every thing in my power to have made Mr. McGregor's duty agreable but this hap'ned at a time when no officer was in Comission nor the soldiers sworn, it was not a time to enter into a Dispute the Difficultys are better known than Expressed. I must beg leave to inform you that not a single day's Duty in a Regiment can be Don with propriety without an Adjutant and if ever the Duty of an Adjutant was Necessary it was before the late Action as well as soon after. How can you Emagen that I could Do one day without Boath Adjutant and Quartermaster; besides you gave me the Liberty of appointing both.

You say if any person I judge suitable is Disposed to act as a voluntier in that Capacity without pay you have no objection unless it should plainly appear to you that he would not answer the End — to which I answer, I hope in time my conduct will convince you that I have the servis more at hart than to be partial in the matter. I do easily perceive that it must be very disagreeable to the Hon^{ble} Committee and the worthy Gentleman Mr. McGregor to be disapinted but hope you will provide for him some other way. I heartily thank the Hon'd Com^{t} for these friendly paragraft, which is — you say — You may assur yourself that so far as the publick servis will allow you shall Take pleasure in gratifying me or the Regiment or any Individual — this is the sole motive why Mr. Peabody is continued as Adjutant and I presume the voice of the Regiment will make this manifest, which is the Best information the nator of the thing can admit of.

Permit me, Gentlemen, to remind you of your Promis that I should have a Chaplain — for want of which the servis greatly suffers — as we have to borrow from other Regiments which is a thing I cannot Repay. Bagen leve at the same time to subscribe Gentelmen myself your obliged ever Humbe servant at comand.

JAMES REED.

Letter of Gen. John Sullivan to Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 49.]

Medford, July 19th 1775.

GENTLEMEN —

As we have no matters Regulated in manner Ordered by the Congress as yet, I can give no exact account of the State of our affairs till that time. We are in great want of Bayonets for our Men; I would Intreat you to send some of different sizes & a person who understands fixing them to the guns.

I am sorry to inform you that the New Hampshire forces are without a Chaplain when the Continental Congress have voted to pay for a Chaplain in each Regiment. Our men are obliged to attend prayers with the Rhode Island Regiment & when they assemble the Concourse is so great that few of them can hear a word that is said. It being essentially Necessary in an Army to keep up Divine worship I doubt not you will send us a Chaplain to each Regiment.

I must remind you that it is absolutely Necessary for us to have some Beds

for our sick men, many having Died already for want of comfortable Beds to lie upon. I therefore intreat that you would buy up & send us Beds with some stuff to make cotts or Hammocks.

We also are in great need of Guns & Blankets several having been lost in the late Engagement and several others not fit for service.

Gentlemen, I am with great respect,
Yr most obedient servant,

Jno Sullivan.

Committee of Safety.

Letter from Hon. John Hancock to the Provincial Congress at Exeter.

[Copied from MS. State Pap., Revn, Vol II., pp. 43-45.]

Gentlemen —

By the return of the Army transmitted by the General to the Congress, it appears there is a great deficiency in many Regiments; upon which the Congress came to the enclosed Resolutions which I am ordered to transmit to you. I am gentlemen

Your obedient humble servt

John Hancock, President.

Congress Chamber,
July 22, 1775.

In inclose you a publick paper in which you will see the Resolutions of Congress respecting the Militia thro' the Continent.

Convention of
New Hampshire.

Resolutions of the Continental Congress, concerning the Militia thro' the Continent.

[Copied from Amer. Ar., 4 Ser., Vol. II., p. 1885.]

Tuesday, July 18, 1775.

The Congress resumed the Report of the Committee for putting the Militia into a proper state of defence, and after debating the same by paragraphs, came to the following Resolutions, viz:

Resolved, That it be recommended to the inhabitants of the United English Colonies in North America, that all able-bodied effective Men between sixteen and fifty years of age, in each Colony, immediately form themselves into Regular Companies of Militia, to consist of one Captain, two Lieutenants, one Ensign, four Sergeants, four Corporals, one Clerk, one Drummer, one Fifer, and about sixty-eight privates.

That the officers of each Company be chosen by the respective Companies.

That each soldier be furnished with a good Musket that will carry an ounce Ball, with a Bayonet, steel Ramrod, Worm, Priming Wire and Brush fitted thereto, a cutting Sword or Tomahawk, a Cartridge Box, that will contain twenty three rounds of Cartridges, twelve Flints, and a Knapsack.

That the Companies be formed into Regiments or Battalions, officered with a Colonel, Lieutenant-Colonel, two Majors, an Adjutant, or Quarter-master.

That all Officers above the rank of a Captain be appointed by the respective Provincial Assemblies or Conventions, or in their recess, by the Committees of Safety appointed by said Assemblies or Conventions.

That all Officers be commissioned by the Provincial Assemblies or Conventions, or in their recess, by the Committees of Safety appointed by said Assemblies or Conventions.

That all the Militia take proper care to Acquire military skill, and be well prepared for defence, by being each man provided with one pound of good Gun powder, and four rounds of ball fitted to his gun.

That one-fourth part of the Militia in every Colony be selected for Minute-Men of such persons as are willing to enter this necessary service, formed into Companies and Battalions, and their officers, chosen and commissioned as aforesaid, to be ready on the shortest notice to march to any place where their assistance may be required, for the defence of their own or a neighboring Colony; and as these Minute-Men may eventually be called to action before the whole body of the Militia are sufficiently trained, it is recommended that a more particular and diligent attention be paid to their instruction in military discipline.

That such of the Minute-Men as desire it, be relieved by new draughts as aforesaid, from the whole body of the Militia, once in five months.

As there are some people who, from religious principles, cannot bear arms in any case, this Congress intend no violence to their consciences, but earnestly recommend it to them to contribute liberally, in this time of universal calamity, to the relief of their distressed brethren in the several Colonies, and to do all other services to their oppressed Country, which they can consistently with their religious principles.

That it be recommended to the Assemblies or Conventions in the respective Colonies, to provide, as soon as possible, sufficient stores of Ammunition for their Colonies; also that they devise some means for furnishing with arms such effective men as are poor and unable to furnish themselves.

That it be recommended to each Colony to appoint a Committee of Safety to superintend and direct all matters necessary for the security and defence of their respective Colonies, in the recess of their Assemblies and Conventions.

That each Colony, at their own expense, make such provision by armed vessels or otherwise, as their respective Assemblies, Conventions, or Committees of Safety, shall judge expedient and suitable to their circumstances and situations, for the protection of their Harbors and Navigation on their sea-coasts, against all unlawful invasions, attacks, and depredations from cutters and ships-of-war.

That it be recommended to the makers of Arms for the use of the Militia, that they make good substantial Muskets, with Barrels three feet and a half in length, that will carry an ounce Ball, and fitted with a good Bayonet and Steel Ramrod, and that the making of such Arms be encouraged in these United Colonies.

Where, in any Colony, a Militia is already formed under regulations approved by the Convention of such Colony, or by such Assemblies as are annually elective, we refer to the discretion of such Convention or Assembly, either to adopt the foregoing Regulations in the whole or in part, or to continue their former, as they, on consideration of all circumstances, shall think best.

In Congress, July 19, 1775.

Resolved, That it be recommended to the Colonies of New Hampshire, Massachusetts Bay, Rhode Island and Connecticut, to compleat the deficiencies in the Regiments belonging to their respective Colonies, retained by the General in the Continental army before Boston.

That it be recommended to the Colony of Rhode Island to compleat & send forward to the camp before Boston, as soon as possible the three hundred & sixty men lately voted by their General Assembly.

That it be recommended also to the Colony of Connecticut to compleat & send forward to the Camp before Boston, as soon as possible, the fourteen hundred men lately voted by their General Assembly.

A true copy from the Minutes.

[Signature torn off.]

NOTE. — This was found in the State Library and the name of the certifying officer torn off. — J. F.

Committee of Safety, of Hillsborough, to General Sullivan.

[Copied from Am. Ar., 4 Ser., Vol. II., p. 1689.]

To the Honourable John Sullivan, Esq, Brigadier General of the Continental Army.

SIR —

The Committee of safety for the County of Hillsborough, in the Colony of New Hampshire, having in contemplation the great services you lately rendered the County in your civil capacity, and the great abilities you then exerted at the bar in their defence, at a time when the people were most cruelly oppressed by the tools of Government, pray leave to address and congratulate you on your appointment to the rank of Brigadier General — an appointment which, as it distinguishes your merit, so at the same time it reflects honour upon, and shews the penetrating discernment of those truly eminent Patriots from whom you received it, and of whom are composed the Continental Congress. Nor are we less sanguine in our expectations of the high advantages which must result (under God) to the publick, by your military skill and courage, as you have been indefatigable in attaining the first, and have given a recent instance of the latter, to your great honour and reputation, in depriving our enemies of the means of annoying us at Castle William & Mary, and at the same time furnishing us with materials to defend our invaluable rights and privileges.

This, Sir, must ever be had in remembrance and (amongst the actions of others, our heroes of 1775) handed down to the latest posterity. That the Almighty may direct your counsels, be with you in the day of battle, and that you may be preserved as a pattern to this people for many years to come, is our frequent prayer.

Per order: MATTHEW PATTIN, Chairman.

July 19, 1775.

General Sullivan's Answer.

To the Honourable the Committee of Safety for the County of Hillsborough:

GENTLEMEN — Your polite congratulatory Address upon my appointment to the rank of Brigadier-General in the American Army, demands my most sincere and cordial thanks. Your approbation of my conduct while at the bar, acting in defence of an injured people against the arbitrary tools of Government, gives me the highest satisfaction.

The favourable opinion which you have formed of my courage and military skill, must alone be a sufficient inducement for me to exert myself at this important day: and if possible, prevent you from being disappointed in your expectations. It gives me great pleasure to find that so respectable a number of the worthy sons of freedom in the Colony to which I belong, have so publickly given their approbation of my conduct in assisting to secure the warlike stores at Fort William and Mary, and thereby preventing those evils which must have resulted from our enemies having the possession of them. That the important office you sustain may be ever held by such worthy patriots, who, while they so nobly exert themselves in defence of our common liberties, are endeavouring to strengthen the hands of others, is, Gentlemen, the earnest prayer of your most obedient servant.

JOHN SULLIVAN.

Camp at Winter Hill.
August 10, 1775.

New Ipswich Committee of Inspection.

[Copied from Amer. Ar., 4 Ser., Vol. II., p. 1711.]

New Ipswich, July 22d, 1775.

In February last, the Committee of Inspection for the Town of New Ipswich in New Hampshire, finding that Mr. David Hills, a trader in said Town had raised the price of some articles of his Merchandise, whereupon said Committee called him to an account, and after some debate, said Hills promised to adhere strictly to the Association; so said Committee received him again. In the beginning of March then next, the said Hills violated the Association again in the same manner as before; whereupon said Committee called him to an account again; then he said he did not understand the Association nor the promise, as we did, but for the future he would adhere to the Association and the promise, as we understood them; so was again received. Now he has violated the Association in like manner the third time, notwithstanding his promise; so we again examined him, and he owned he had raised his price on some articles, viz. Salt, Fish, and Rum, and says it is no violation of the Association, so refuses to make satisfaction. Now we, the Committee, advise all good people to break off all dealings with him, as the Association binds all to do. By order of the Committee.(1)

Joseph Bates, Chairman of said Committee.

Letter from Col. John Hurd, introducing an Indian from Canada.

[Copied from MS. State Pap. Revn, Vol. II., p. 51.]

Haverhill (Coho'os), 27th July, 1775.

Sir —

Tho' I am not of any Committee of Correspondence yet as a member of ye Provincial Congress, I take this opportv to acquaint you, that the Bearer Colo Bailey goes down to Exeter & Cambridge (& will call on you in his way) expressly on the purpose to accompany an Indian by name Louis of the Caghnawaga Tribe, who is just come in here from Montreal by way of the Lake Memphrimagog & Upper Coho'os — the same who sent us those advices in the letter wch I carried down & communicated to the Congress at the last Sessions. He has all along appeared friendly to the New England people, is very intelligent & has the character among the Indian Traders of an honest Fellow, who has always stood by & made good his word, — Tho' no very remarkable occurrence has taken place in Canada that he informs of, yet the acco[t] he gives of the present Disposition of the Indians & Canadians & the situation of the regular Troops there seems so interesting, We have thou't his Informations might be of service to the American cause. That yr Committee of Safety as well as the Gentn of the Massachusetts & the Generals at Cambridge would not be displeas'd with an oppo to converse with him, for which reason we have persuaded Louis (having given a few small presents & engaging some pay for his time) to make a Journey down Country, paying a

(1) David Hills attempted to vindicate his conduct and asked for a Town meeting to hear his complaints. The meeting was held, August 29th, 1775. At which a hearing was granted, and the following votes passed:—Ed.

"Voted, To hear the complaints of Mr. David Hills against the Committee of Inspection. Voted, That the Committee of Inspection have gone according to the Association.

A true copy from the minutes.

Isaac How, Town Clerk."

visit first to you or y^r^ Committee at Exeter & thence to the Army at Cambridge & Colonel Bayley is so good to undertake conducting him, having formerly had some acquaint^e^ with him, his time is short, he says, he could not leave Montreal without a pass from the Governor & a promise to return in about twenty days, as if going out upon a hunt, he speaks very good French, & English tolerably well, so as to be easily understood — By what we have learnt from him, our people are much easier in their settlements on these Frontiers than they have been heretofore. For further particulars I must refer to Col^o^ Bayley.

My best respects attend you & the Gentlemen of the Committee, and am

Sir, your most humble Serv^t^.

JOHN HURD.

Captain Bedel has muster'd his company and paid them their months advance; he would readily have attended on this Indian to wait upon y^r^ Committee had not Col^o^ Bayley offer'd.

The Hon^ble^ Mathew Thornton, Esq.

Letter from Capt. Timothy Bedel to Hon. Matthew Thornton.

[Copied from MS. State Pap. Rev^n^, Vol. II., p. 55.]

Haverhill, July 28^th^ 1775.

To the Hon^d^ Matthew Thornton, Esq. Chairman of the Committee of Safety.

SIR — I have sent Inclosed the List of the men Inlisted by Seth Wheeler Ensign in Capt. Parker's Company agreeable to Orders and s^d^ Wheeler Desires his Commission and Money may be sent up soon as can conveantla.

Sir — When I was with the Committee and Received my order for this Department, I was willing to serve as a Capt. tho I had the Command of three Companys but I have this Day Received Sertain account from Crown Point that an Army was forming for an Expedition against the Regular Troops in Canada and orders sent to Rais men under Col^o^ Allen on this River. I do Expect the Orders will be sent to me to march that way at the same time shall Expect to have a Regiment Except sum old Experienced Officer should offer Otherways shall Decline as I never ment to Enter the sarvice as a Cap^t^. to sarve out of the Government. We can raise a Regiment in this part of the Contry Col. Bayley who attends Servis will Inform us as to News as thare is *Now* Parson appinted as a Committee of Supplys hear it is Necessary we should have sum money and I Desire it may be sent by Col. Bayley and what is sent him I will be accountable for Taking his Recep^t^ for what is sent I amagin that £100 is as Little as will answer.

These from yours at Command

TIM^o^ BEDLE.

Orders from the Committee of Safety to Capt. Beedel.

[See Records of Com. of Safety N. H. Hist. Coll., Vol. 7, p. 11.]

SR — you are directed to proceed immediately to Northumberland or Lancaster with your Company, or such part thereof as you think proper, and there in Conjunction with the Inhabitants erect a Garrison in such place as you, with their advice, shall judge most suitable, Sufficient for Defence against Small arms; and when that is Compleated to assist in Building Garrisons in

such other Places on the Frontiers as you, with the advice of the Inhabitants shall judge most necessary, sending out such scouts from Time to Time for Intelligence as you shall think expedient; And also to take the Charge of all such Provisions as may be sent you and Cause the same properly to be delivered to yours and other Companies that may be posted by the Congress or this Committee on Connecticut River; and purchase Beef, Bread &c. as may be requisite, & return your accounts to this Committee for their allowance & payment; and also to use your utmost endeavors to gain and keep the Friendship of the Indians by small donations &c., and if any thing of Importance should occur to send Information thereof to this Committee by immediate Expresses, and to take up and examine any person you may suspect of attempting to cross the Country to Canada with a Design to hurt the Cause of America, & if after examination you are satisfied of such Design, that you secure him or them & send them down here for Trial, and to use your Discretion with Regard to any others who evidently appear to be inimical to the Liberties of America. In case of any attack upon any of the Inhabitants in those Parts to whom you can possibly afford assistance, you are to do it without Delay.

By order of the Committee

W. WHIPPLE, Chairman P. T.

July 7th 1775.

Letter from Gen. Washington to the Committee of Safety.

[Copied from MS. State Pap. Revn, Vol. II., p. 57.]

Camp at Cambridge,
August 4th, 1775.

GENTLEMEN —

Your publick Capacity & the hope that you will be both able & willing to give us some assistance, has led me to make this application. The situation of the Army, as to Ammunition, is by no means what it ought to be. We have great Reason to suspect the Enemy very soon intend to bombard our Lines; & our Stock of Powder is so small, as in a great Degree to make our heavy Artillery useless.

I must therefore request you will exert yourselves to forward whatever can be spared from your Province, as soon as Possible. The Necessity is great, the cause is of the last Importance; I am therefore persuaded I need use no Arguments to quicken your zeal. The smallest Quantities are not beneath Notice, as a considerable stock may be formed from various collections. Lead & Flints are also very scarce; you will therefore furnish all you can spare. Next to making the Provision, its being seasonable is of great importance, every Hour in our present situation is critical.

Should there be any arrivals in any part of your Province, with this necessary article I must request your forwarding all that can possibly be spared out of it.

I am, gentlemen, very respectfully
your most obedt &
very Hble Servt

Go. WASHINGTON.(1)

To the Hon. The Committee
of Safety of New Hampshire.

(1) This is Washington's own signature.—ED.

Letter from Gen. Sullivan to the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 60.]

Winter Hill, Aug^{t} 5th, 1775.

Hon'ble Gentlemen —

By order of General Washington I send Major Cilley to wait on you upon a matter that requires the utmost secrecy & Dispatch. General Washington has wrote you (I suppose) fully upon the Subject but we all rely upon your prudence in keeping both the Contents of his and mine a profound secret — we had a General Councill the Day before yesterday & to our great surprize we found that we have not powder Enough in the whole army to furnish half a pound a man exclusive of what the people have in their horns & Cartridge Boxes. This Shocking Situation we are Reduced to by the Mass^{a} Committee making a return to General Washington of 485 Quarter Casks, on his arrival which he supposed was then on hand but to his surprise he found that was what was provided Last winter & that there is now on hand but 38 Barrells which with all the powder in the other magazines will not furnish half a pound per man. The General was so struck that he did not utter a word for half an hour. Every one else was equally surprised. Messengers are dispatched to all the Southern Colonies to Draw in their Publick stocks & I must entreat you to forget all Colony Distinctions consider a Continental Army Devoted to Destructions unless immediately supplied & send us at Least 20 Barrells of powder with all possible speed — Should the matter take air before a supply arrives our army is ruined; you Gentlemen will need no words from me to induce an Immediate Compliance with this Request. You can have no necessity of the Powder in the Country; there is not the most Distant probability or even possibility of an attack upon you. Gentlemen I am with great Respect y^{r} most obed^{t} Serv^{t} (1)

Jno Sullivan.

To the Committee of Safety
at Exeter or Portsmouth.

Copy of a Letter to Gen. Schuyler.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 63.]

In Committee of Safety Aug^{t} 7th, 1775.

Sir — The Congress of this Colony sometime past raised Three Companys consisting of Sixty Six men each including officers to be a Guard to the Western Frontiers on Conec^{t} river and upon receiving some late advices from Canada we conceive they will not be needed there, have since applied to General Washington to see if he had occasion for them in his army but were told he tho't his army sufficiently strong and Imagined they might be more serviceable to join your army if not full, especially considering those Companies consist of Rangers, Hunters, and men accustomed to the Woods he said he would write to you on the Subject which we expect you have received. The Bearer Col^{o} Bedle, Commander of a Regiment of Militia on Connecticut River, to promote the great cause in which we are engaged accepted the command of a Company to be a Guard as afores^{d} he is a person of Large (great) experience in War, and who is well acquainted with Canada. We would recommend him to you as an able Officer, to command a Regiment and if the circumstances of your army will admit of your providing for him accordingly, or in any other way agreeable to him, his reception & the afores^{d} Companies; we shall esteem it a favor done them, as those companys are very desirous of being engaged in the general service.

Indorsed — "Copy of a letter
to Gen^{l} Schuyler, Aug. 7, 1775."

(1) Aug. 7. "Received a letter from Gen'l Washington & another from Gen'l Sullivan by Maj. Cilley. In consequence of which order'd the Major to endeavour to have all the Powder (remaining in the Colony which was taken from Fort Wm & Mary) to be sent to Exeter." [*Rec. of Com. of Safety.*]—Ed.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 65.]

In Committee of Safety, Exeter, Aug^{t} 7th 1775.

By Deac^{n} Brooks we have sent you five hund^{r} Pounds L. M. which is all that we can spare at Present as we understand that the Continental Congress have appointed a Commissary General for the whole united American Arm we conceive there will be no further necessity for your concerning yourselves with the supplying our forces — therefore we judge it most prudent that you close all your accounts as speedily as possible — & desire that you would let us know what further sums will be wanting to pay off all the Debts you have contracted on account & for the benefit of this Colony, & we shall endeavor to send you the money in a very short time.

Letter to Major Cilley.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 65.]

In Committee of Safety, Exeter, Aug^{t} 7th 1775.

You are desired as soon as possible to apply to the Selectmen of the Several Towns in this Colony with whom was lodged the Powder taken last winter from Fort Will^{m} & Mary take an account of what is now in their Custody respectively & request of them forthwith to convey the whole of it to Col^{o} Nicholas Gilman at Exeter.

By order of the Committee.

Indorsed — "To Maj^{r} Cilley
Aug^{t} 7th 1775."

Copy of a Letter to Col. Bedel.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 7.]

Sir —

The Comm^{t} of Safety has waited on G. Washington to endeavor to get the Comp^{y}s raised to guard the Western Frontiers received into the pay of the Continent, but he Informed us that he cannot consistent with his Instructions receive more than 2 Thous^{d} men; But has at our request wrote to General Schuyler recommen^{g} his receiving them, and the Bearer Capt. Thornton has a Letter to the same purpose from Gen^{l} Sulivan. As the expence of these Comp^{s} will be so great on this Colony, and no danger as we apprehend on the Frontiers, unless those Comp^{s} can be received as afores^{d} they must be disbanded without going into actual service. Therefore We desire you would without loss of time take Capt. Thornton & such other assistance as you Judge neces^{y} and repair to Gen^{l} Schuyler at Crown Point before he gets his army fill'd up, and Endeavour to get those three Comp^{y} into that service, & if there is Room for a Regiment you can have opportunity to negotiate the matter with him, as it must be a Contin^{l} & not a Colony matter.

Indorsed, "Copy of a Letter to
Col^{o} Bedel, Aug. 7th 1775."

Letter from Rev. Stephen Peabody of Atkinson.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 69.]

To the Honorable Matthew Thornton Esq. Chairman of the Committee of Safety for the Colony of New Hampshire, now setting at Exeter.

Sr —

Yours of the 18th Instant lately came to hand, in which I have an Invitation from the Honorable Committee, aforesaid, to engage in the character of a Chaplain, in the service of my Country.

In answer to which, you will give me leave to say, that the Proposal was to me new, & altogether unexpected, and my domestic affairs at present in a situation somewhat unfavorable to such an undertaking. But, Sir, the honor of the Invitation, the Justice of the Cause, together with my own sincere Desire to promote the Weal of America & her Freedom from a state of vassalage, are considerations which by far outweigh personal Interest or private Embarrassments. And therefore with gratitude — and self-diffidence — I have concluded to undertake the services of that important Trust; humbly imploring *that* Wisdom & Prudence which shall enable me to perform my Duty with Fidelity & not to reflect Dishonor upon this Colony. And as I have had but short notice to prepare, should take it as a Favor, if the Time of my joining the Army might be for a few Days postpon'd, Circumstances admitting; however, shall wait your further Commands & govern myself accordingly. With wishing that all your Counsels may be under the divine Direction, and crowned with abundant success,

Sir — with all proper Defference,
Your most obedient
humble servant

Stephen Peabody.

Atkinson, August 14th, 1775.

Journal of the Provincial Congress — resumed from page 554.

[P. 95.] Tuesday August 22d, 1775.

The Congress met according to adjournment.

Voted & Resolved, That Whereas this Congress on the fifth of July last ordered the Receiver General to Issue his notes of hand for Eight Thousand Pounds to be paid with six per cent Interest at certain times therein Limited, and Whereas the Continental Congress and several of the General Courts & Congresses of the United Colonies have Issued their bills payable at certain Periods without Interest, and it now appears that said bills or [P. 96.] notes will answer all the Intention of their being Issued as well without Interest as with, Therefore Voted that the Receiver General Imediately Issue his Notes aforesaid in the same manner as Directed in said Vote Excepting their carrying Interest, which is to be omitted, and that the Committee appointed by the aforesaid vote to get said notes struck off conform themselves to this Determination.

Adjourned till tomorrow morning 8 o'clock.

Wednesday, Augst 23d.

Met according to adjournment.

Voted, To send only one Delegate more for this Colony to the Continental Congress at Philadelphia to attend the same with Capt. John Langdon our other Delegate, in the name & behalf of this Colony.

Voted, That Josiah Bartlett Esqr be our Delegate at the said Continental Congress.

Voted, That Meshech Weare, Josiah Bartlett, Matthew Thornton, Ebenezer Thompson & William Whipple Esqrs be a Committee to draw up Instructions for our Delegates to the Continental Congress.

The Petition of Hugh Tallant being read & considered was refer'd to the Committees of Safety of Salem, Pelham & Nottingham West.

Voted That all men in this Colony from Sixteen to Fifty years of age be form'd into Regiments and Companies according to the Recommendation of the Continental Congress.

Voted, That the Regiments or Battalion of Militia in this Colony consist of the same Limits as when last commissioned untill further order of this Congress.

Voted, That the Delegates of the several & respective Towns & places within the Limits of each Regiment consult together

and recommend to this Congress Three persons as suitable in their opinion Either of them to be Colonel of their respective Regiments if Elected by the Congress, and in like manner for their Lieut. Colonels & Majors.

Whereas the Regiment lately commanded by Col. Josiah Willard Appears to be Large and sufficient to be Divided into Two, and the People of that Regiment being Desirous thereof, Therefore [p. 97.] it is voted, That the said Regiment be divided into Two, and commissioned accordingly, and that the first contain the Towns of Winchester, Hinsdale, Westmoreland, Chesterfield, Richmond, Swansey, Keen, Surry and Gilsum, and that the other contain the Towns of Charlestown, Walpole, Clarmont, Newport, Unity, Acworth, Saville, Alstead, Lempster and Marlow.

Voted, That this Congress will Determine what wages each member shall receive of his constituents for his service in Congress.

Voted, That the wages shall be six shillings per day.

Voted, That Mr. Secretary Thompson be paid out of the Publick Treasury, six shillings per day for his services to this Congress as Secretary.

Voted, That all the members of the Present Congress be paid for their service in attending the same from the time of the commencement thereof untill their Dissolution, by their several & respective Constituants; And that each member be paid out of the Publick Treasury by the Receiver Generall Two pence per mile for Travelling to & from this Congress to their several places of abode, & for every time of their adjournment for a longer time than from Saturday to Munday. Their travel to be certified by the Secretary.

August 24th, 1775.

The Petition of James Gilmore being read & Considered it is Ordered by this Congress that the said James Gilmore be Liberated from his confinement and that he appear to be heard & tryed before this Congress on the second day of their sitting after the 26th day of this Instant: And that Aaron Hayes named in said Petition be Notified to appear at said day and Prosecute his complaint against sd Gilmore: And Capt. Stephen Evens & Capt. Shadrach Hodgsdon recognize to this Congress in the sum of Twenty pounds for the appearance of the said Gilmore on said day.

[p. 98.] Voted, That all such Persons as were heretofore Excused by the Laws of this Province from Training on Publick Training days, be Excused from Training according to said Law.

Voted, That there be paid by the Receiver General to Josiah Bartlett Esqr one of our Delegates Appointed to Represent us at

the Continental Congress, the sum of one hundred and forty Pounds Lawful money out of the Publick Treasury to be by him accounted for.

Voted That Nathaniel Folsom Esq^{r} be the General Officer over the Militia in this Colony.

Voted, That Capt. William Whipple be appointed Colonel of the first Regiment of Militia in this Colony & Joshua Wentworth Esq^{r} his Lieut. Colonel, Benjamin Barker his first major & Ephraim Pickering his second major.

Voted, That Capt. Stephen Evens be appointed Colonel of the second Regiment in this Colony, & Samuel Chesley his Lieut. Col^{o}, Joshua Wingate his first Major & Paul Wentworth his second Major.

Voted, That Col^{o} Jonathan Moulton be Colonel of the Third Regiment of Militia in this Colony & Christopher Toppan Esq^{r} his Lieut. Col^{o} & John Lane Esq^{r} his first Major.

Voted, That Col^{o} Nicholas Gilman be appointed Colonel of the Fourth Regiment of Militia in this Colony, & Capt. Jeremiah Folsom his Lieut Colonel Lieut. Thomas Bartlett his first Major & Capt. Stephen Clark his second Major.

Voted, That Col^{o} Josiah Bartlett be appointed Colonel of the Regiment lately commanded by Col^{o} Jonathan Greeley, & Jacob Gale Esq^{r} Lieut. Colonel, Joseph Welch Esq^{r} his first Major & Lieut John Webster his second Major.

[p. 99.] Voted, That Col^{o} Joseph Badger be appointed Colonel of the Regiment of Militia lately commanded by himself, & Ebenezer Smith Esq^{r} his Lieut. Colonel, Capt. David Copp his first Major & Capt. Bradbury Richardson his second Major.

Voted, That Capt. Daniel Moore be appointed Colonel of the Regiment of Militia lately commanded by Col^{o} John Goffe, and David Gilman his Lieut. Colonel, Moses Kelley his first Major & Samuel Page his Second Major.

Voted That Thomas Stickney Esq^{r} be appointed Colonel of the Regiment of Militia lately commanded by Col^{o} MacMillan, Capt. Henry Gerrish his Lieut. Col^{o}, Nathan Batchelder Esq^{r} his first Major, and Isaac Chandler his Second Major.

Voted, That Samuel Ashley Esq^{r} be appointed Colonel of the First part of the Regiment lately commanded by Col^{o} Josiah Willard, & Capt. Joseph Hammond Lieut. Colonel, Isaac Butterfield his first Major and Timothy Ellis his second Major.

Voted, That Maj^{r} Benjamin Bellows be appointed Colonel of the second part of the Regiment lately commanded by Col^{o} Willard, & Samuel Hunt Esq. his Lieut. Colonel, William Haywood his first Major, and John Bellows his second Major.

Voted, That Col^{o} David Hobart be appointed Colonel of the Regiment lately commanded by Col^{o} John Fenton, & David

Webster his Lieut. Colonel.

Voted, That Israel Morey, Esq^{r} be appointed Colonel of the Regiment lately commanded by Col^{o} John Hurd, & Charles Johnson Esq^{r} his Lieut. Colonel, Jonathan Child his first Major, and Jonathan Hale his second Major.

[p. 100.] Voted, That the Committee of Safety Immediately give such Directions as they judge Necessary for Fortifying & Supplying Material, Raising Matrosses &c. for Defending Piscataqua Harbour.

Upon the complaint of Dennis Pendergast against Owen Orke for stealing from him a number of Dollars & Crowns, a warrant Issued from this Congress to apprehend the said Owen Orke, who being apprehended and bro't before the Congress, The matter of said Complaint is referred to a Committee of this Congress, viz. Samuel Chase, James Betton, David Lawrence, Benj^{a} Giles, John Dudley, Ebenezer Smith, Enoch Hale & Ichabod Rawlins, Esq^{rs}. — The Rev. Mess^{rs} Abiel Foster and Stephen Farrar and Deacon Samuel Brooks & Deacon James Knowles, who are to hear, Try & Determine the same.

August 25th.

Voted That the ballance of Gen^{l} Folsom's account for his services as a Delegate for this Colony, as settled by a former Congress be paid by the Receiver General out of the Publick Treasury, by an order from the Committee of Safety.

Voted, That George Jaffrey Esq^{r} late Treasurer of this Colony be and hereby is Directed to Lay his Treasury Accounts before this Congress (in order that the same may be settled) on Tuesday next, if the Congress be then sitting, and if not then sitting, on the second day of the sitting of the Congress after that time.

Voted, That the members of the Two late Houses of Representatives of this Colony be paid by the Receiver General out of the Publick Treasury for their Travel to and from the General Assembly at the same rate as usual; and the clerk six shillings per day for his services as Clerk upon a certificate from the clerk of the said house of Representatives, and that their constituents pay them for their attendance six shillings per day.

This vote passed the 23^{d} & was reconsidered the 25th.

[p. 101.] Voted, That the vote of the 23^{d} Instant relating to the pay of the members of this Congress be reconsidered.

Voted, That the vote respecting the pay of the Two late houses of Representatives and their clerks be reconsidered.

Voted, That the Members of this Congress have five shillings per day for their attendance at this Congress.

Voted, That the members of this Congress receive their pay for their attendance of the receiver General out of the Publick Treasury by a certificate from the Secretary, and that the several & respective sums so paid shall be added to the other Public Tax, to be laid on their several and respective Constituants, by a Precept to be Issued by the receiver general for assessing the next Colony Tax, and that said pay be made to the said Members at the end of the sitting of this Congress.

Voted, That the Members of this Congress be paid by the receiver general out of the Public Treasury Two pence per mile for their Travel to & from their respective places of abode to this Congress, by Certificate from the Secretary for every time they Travel to this Congress, if it be adjourn'd for a longer time than from Saturday to Munday.

Whereas by order of this Congress, under certain conditions then express'd, a Barrell of Gunpowder was put into the hands of Col° David Webster of Plimouth, It is now Voted, That said Webster for the present have Custody thereof, and not part with it to any person unless by order of the Congress or Committee of Safety, or in case of an attack from the Enemy.

Voted That Capt. Ezekiel Worthen Proceed Immediately to Portsmouth as an Engineer and there Take care, & have, in conjunction with the Committee of safety at Portsmouth, the oversight & Direction of Laying out & Erecting Batterys for the Defence of Piscataqua Harbour, & get the Guns fixt & mounted therein and all other Necessarys for compleating the Batterys.

[P. 102.] Voted That Capt Shadrach Hodgsdon Proceed Imediately to procure Fascines for building Batterys for the Defence of Piscataqua Harbour, and convey the same to Capt. Ezekiel Worthen or the Committee of Safety of Portsmouth as soon as may be.

Voted That the Committee of Safety at Portsmouth be presented with the thanks of this Congress for their care in forwarding a Plan for the security of Piscataqua Harbour, and their early intelligence of those matters to this Congress — and that they be inform'd that this Congress have given a Number of Directions to several Persons for providing Fascines and other Implements for Erecting Batterys; appointed an Engineer Imediately to attend there; and ordered a number of Barrells of Powder down with many other Directions: and shall proceed to do every thing they possibly can for securing the Harbour — and they be desired to procure persons Imediately to remove the Platform and every other usefull Implement from Fort William & Mary, & Forbid any person or persons from Destroying the buildings there; And further inform the Committee, That it is the opinion of this Congress, That no Fish ought to be Exported out of this Colony.

Report of Portsmouth Committee on Fortifications, &c.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 71.]

In consequence of a vote of this Committee to us Directed we have viewed the several advantageous pieces of ground for erecting Fortifications to annoy our Enemies from making attack, or commit^{s} any outrageous Insult upon the Defenceless Capital of this Province: and we do report as follows, viz.

1st. That we most humbly conceive that an Entrenchment hove up on the height of Seavy's Island so called with two Twenty four Pounders & four or six smaller Cannon (filled also with musqutry) would greatly Retard the progress of any ships-of-war sailing up the River.

2^{dly}. That a Battery erected at Peirce's Island of light Heavy Cannon, wou'd greatly annoy the Enemy's advances, if not Totally disconcert their Intentions, (by carrying away Masts, Rigging, &c.)

3^{dly}. That John Langdon Esq^{rs} Island is a most Extraordinary Peice of Ground (form'd by nature) for a Fortification that commands the River from Henderson's Point so caled, and capable of mounting fifty Heavy Cannon, and wou'd Inevitably Oblige any ship to Remove that would attempt to lye before the Town.

4^{thly}. That a Battery of six Heavy Cannon on Church Hill wou'd be of Infinite service in cannonading any ships of War whatever from Henderson's Point up the River & before the Town.

Annexed to this is an Inventory of Cannon & stores now in the Town—all of which we submit to the Superiour Judgment of the Committee of the Town to Represent to the Provincial Congress.

3	Cannon of	32 Pounders,
1		24
9		4
3	Brass	2 field Peices.
1	Iron	1 do.
2	Brass swivels.	
2	Howitt^{s}.	

Emplements wanting.

30	shot of	32 lb
12		24
18		12
20		9
40		6
40		4
30		3
700	grape shot.	

Portsmouth, Augst 23^{d} 1775.

TITUS SALTER
GEO. TURNER
ROB'T PARKER
GEO. WENTWORTH
GEO. GAINS
} Committee.

A true copy By order of the Committee

H. WENTWORTH, Chairman.

Letter to General Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 73.]

SIR —

We have sent down a man to endeavour to gain a little further acquaintance with the best method of constructing Carriages for cannon. We should be glad, sir, if you would be kind enough to introduce him to those persons & things that will forward him in his Business, & to whatever you judge may help on an ingenious man to be useful to us. We hope he may have a full opportunity of viewing whatever will conduce to this purpose.

By some late Intelligence we have great reason to fear that Portsmouth is in danger. We beg to know whether some Powder can be spared. If possible let us know whether we can't have 50 or 100 Barrells. If we can have Powder, sir, we mean Immediately to erect some fortifications to defend the Harbour.

The Powder sent to the army, to our Frontiers, distributed among the People & perhaps by some ill management has reduced our stores to about 8 or 10 Barrells at most; so that any Quantity that can be spared us will be acceptable tho' much less than the above quantity; tho' we could wish that as we intend Imediately to Erect a considerable Fortification to guard our Harbour.

Indorsed—"Copy of a letter
to Brig^{r} Gen^{l} Sullivan, Aug. 24, 1775."

Letter from Genl. Sullivan in answer to the foregoing.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 75.]

Camp on Winter Hill, [Aug,] 29, 1775.

GENTLEMEN —

It gives me pain to think that I have so long delayed the gentleman you sent to me, but I must refer you to him for an excuse on that head — shall only hint That he came on Saturday morning when I was preparing to take possession of the Plow'd Hill near the Enemy's Incampment at Charlestown. This was done on Saturday night & on Sunday morning a heavy cannonading Ensued which lasted through the whole Day. The Floating Batteries & an armed vessel attempting to come up & Enfilade us as I expected, I opened a Battery which I had prepared on purpose, cut away the Sloop's foresail, made her sheer off, wounded one Floating Battery & sunk another. Yesterday they sent round a man-of-war to Mistick River, draw'd their forces from Boston, formed a long Column & prepared to come out, but finding our Readiness to receive them Declined the combat; Last Evening they began to throw Bombs but have as yet done no Damage, their cannon has been more successful; having killed three or four: The command of our forces was assigned to me, which I hope will apologize for my delaying Capt. Hobbs. I have shown him those cannon which are best mounted with us & given him the best advice in my power. The Powder you write for, Gentlemen, it is impossible to obtain at present, we have had but six Tun from the southward, which is but half a pound per man for our army & what we had before was a Shock^{s} Store, we hope for some every Day & as soon as possible after its arrival you shall be supplied by y^{r} very Hum^{l} Serv^{t},

JNO. SULLIVAN.

To the Hon. the Committee of Safety.

Augst 26th.

The petition of Richard Champney for leave to Export Fish out of this Colony, being read & considered, Voted, That the Prayer thereof should not be granted.

Voted That the Establishing the officers of the sixth Regiment be Postponed until the second day of the sitting of this Congress after the 15th day of September next.

Voted, That the appointment of the Major of Col^{o} David Hobart's regiment be postponed to the next sitting of this Congress.

Adjourned to Monday next at three o'clock, afternoon.

[p. 103.] Monday Augst 28th 1775.

It having been represented to this Congress that there is a Quantity of Fish shipping off from Gosport in this Colony, contrary to the repeated votes of this Congress, and as it is supposed that no Committee of Inspection has been chosen there, — Therefore to prevent the shipping of Fish from thence, It is hereby earnestly Recommended to the Comittee of Safety of Portsmouth to use all Prudent Methods to hinder any Fish from being Exported from said Gosport.

Voted That the officers and soldiers of the Company of Artillery to be Raised by Capt. Titus Salter be allow'd & paid the following wages per month, viz: Captain £6: 0: 0. L. M. First Lieut. £4: Second Lieut. £3: 10. Each Sergeant £2: 8: 0. each Corporal £2: 4: 0: — A Fifer £2: 4: 0 — a Drummer £2: 4: 0 — & Each private £2: 0: 0. And each non-Commission officer & souldiers to be paid One Dollar for the use of a Blanket to be found by himself. And that they be Enlisted to serve until the Last Day of Decem^{r} next unless Dismist sooner by order of Congress or the Committee of Safety, under whose Direction they are to be, and Each man to Provide himself a good Firelock.

Augst 29th.

Voted, That Maj^{r} Hubbard, Ben^{a} Giles Esq^{r} & Tho^{s} Sparhawk Esq^{r} be a Committee to settle the Rank of Timothy Beedel Esq^{r} as Commander of the Companys of Rangers raised in this Colony, (one of which he now commands as Captain) and also fill up his Commission, and make report to this Congress as soon as may be.

[p. 104.] Voted That in case General Schuyler shall make requisition of more Troops from this Colony, that if the Congress should not be then sitting, The Committee of Safety be and

hereby are Impowered *hereby* to raise and Equip such Forces & give orders for marching them in the recess of the Congress.

Voted, That Col° William Whipple, Col° David Gilman, Maj^r Joseph Welch, Maj^r Samuel Hobart & Tho^s Sparhawk Esq^r be a Committee to Form and bring in a vote for Perfecting the regulation of the Militia in this Colony.

Voted, That the Ranging Companys be allow'd Billeting at the rate of nine pence per day for the time they shall be on Duty in marching to Coos, when they are Embodied there, and each officer and soldier who had not received a Months pay, to be paid it there, And that Israel Morey Esq^r be appointed Paymaster, who is directed to return a Proper Roll of such Payment to the Committee of Safety.

Voted That Col° Beedle's Company of Rangers be made up to the number of sixty six men Including Officers and that he forthwith Enlist and Enroll them.

Voted, That the Blanks for Commissions for the Military officers of this Colony be forthwith Printed.

Voted, That the field officers of each Regiment in this Colony recommend to the Committee of Safety a Proper Person to be Adjutant or Quarter master for their respective Regiments, to be commissioned by said Committee of Safety.

Voted, That there be a Surgeon appointed to Col° Beedle's Brigade of Rangers.

[P. 105.] August 30^th^, 1775.

Voted, That the return of the Committee chosen to prepare a vote to Perfect the regulation of the Militia in this Colony, be received & Established — which Regulation is as follows, viz:

1^st^ That the commanding officer of each Regiment in this Colony give Notice to each Town in his regiment for all the Training soldiers to meet at the most publick & convenient place in said Town, in order to make choice of their officers agreeable to the Directions of the Continental Congress, giving them Eight days Notice, and that one or more of the Field officers attend said Meeting, and see the matter Fairly conducted, and then give out the Commissions to the several officers that shall be fairly Elected by said soldiers, and that each Commission so given out be Published by said Field officer or officers so attending as soon as may be after the choice as aforesaid.

2^d^ That each Town in this Colony containing a sufficient Number of Training soldiers to make two or more Companys, agreeable to the Recommendation of the Continental Congress, Be accordingly divided by a Division Line to be Drawn between them by

the Selectmen & Committees of such Towns, or the major part of them.

3d That the officers & soldiers in the Militia be governed by a Law of this Colony formerly made for the Regulation of the Militia (Excepting that clause that relates to calling the Companys together) and that the Captains of the respective Companys of Militia in this Colony call their respective Companys together at least once a month when the season will admit of it, in order to acquaint themselves with the use & Exercise of Fire Arms according to Exercise Published & Printed in the year 1764.

4th That Regimental Musters shall be made once in every year at such Time or Times as the General Officer shall appoint.

Voted, That the Colonel of each Regiment in this Colony have a Copy of the above vote, in order to settle their respective Regiments as soon as may be.

[p. 106.] Voted, That Colo Jonathan Chase be appointed Colonel of the Regiment lately commanded by Colo Gilbert, Elisha Paine Esqr be his Lieut. Colonel, Israel Curtis Esqr his first Major & Francis Smith Esqr his second Major.

Voted That William Whipple, John Dudley, Nicholas Gilman, Ebenezer Thompson, Stephen Evans, Samuel Hobart, Wyseman Clagett, Benjamin Giles and Jonathan Child Esqrs be a Committee to Proportion the Representation of the several Towns & places in this Colony, in any future Congress or Convention, and lay the Plan thereof before this Congress as soon as may be.

Voted, That the Secretary of this Congress be paid seven shillings per day for his services as Secretary, out of the Publick Treasury by the receiver General.

Voted, That there be paid by the Receiver General out of the Publick Treasury to Capt. John Langdon one of the Delegates to the Continental Congress, the sum of one hundred pounds L Mr to be by him accounted for.

Voted, That the Company of Militia in Conway Remain Independent untill further orders of this Congress.

Voted, That the several members of the Two last houses of Representatives of this Colony be paid for each days attendance in General Court before this time five shillings per day out of the Publick Treasury by the receiver General (The number of Days to be certified by their respective clerks) and that the same be added to the Tax of their respective constituents in the next Tax Bill, And that they be paid for travel as usual out of the Treasury (to be certified as aforesaid) and that the respective Clerks have five shillings per day out of the Publick Treasury for their respective services as Clerk to be certified as aforesaid.

[p. 107.] Voted, That Ichabod Rawlings Esqr & Mr. Timothy Walker Junr be a Committee fully Impowered to repair to the

Army and there strictly Examin into the Losses sustained by every officer & soldier of the Troops raised by this Colony for the United Service, — In cloathing, Fire arms &c. that was their own property or that they were accountable for, At the Battle at Charlestown — and Estimate what they think is the true Loss sustained by each Individual and that they then acquaint themselves with what value each Individual has received towards his Loss, and then to pay each & every person in money, what they find due to make up his Loss — And that they apply to the Captain General, Commissary General or such other persons as they think can inform them, to know if our Engagement to give each soldier a Coat, will be performed by order of the United Colonies — and also to provide a Blanket for each soldier who has not receiv'd one, and to pay for them already procured — and to Notify the officers to Transmit by them all accounts they have against the Colony, and that they also pay a Months wages to each soldier enlisted in the Continental service who was return'd by our Paymaster General, not Paid.

LOSSES AT BUNKER HILL.

A List of the Losses Sustained by the New Hampshire Forces at Bunker Hill, June, 1775, as paid by Timo. Walker, jun.

[NOTE.— The following list is found in a MS. volume in the Secretary's Office, labeled "Province and Revolutionary Papers," p. 63. In the same volume, also, are found, without order of arrangement, the particular articles lost by the several officers and soldiers, as enumerated in the respective companies which follow.—ED.]

Colo. Stark's Regiment.

No. 1.	Capt. Dearborns	Company	£28 :	5 :	2	
2.	Capt. D. Moore's	Company	45 :	0 :	0	
3.	Capt. Abbot's	Do.				
4.	Capt. G. Hutchins	Do.	4 :	16 :	6	
5.	Capt. Kinsman's	Do.	12 :	6 :	0	
6.	Capt. Woodbury's	Do.	23 :	1 :	6	
7.	Capt. Richard's	Do.	19 :	1 :	10	1-2
8.	Capt. McGlausings (1)	Do.	25 :	3 :	6	
9.	Capt. J. Hale's	Do.	10 :	16 :	0	

Colo. Reid's Regiment.

10.	Capt. Hez[r] Hutchins	Comp[y]	£43 :	19 :	10	
11.	Capt. Hind's	Do.	31 :	8 :	6	
12.	Capt. Spalding's	Do.	76 :	4 :	6	
13.	Capt. Towns's	Do.	31 :	16 :	2	
14.	Capt. Whitcomb's	Do.	71 :	14 :	0	
15.	Capt. Walker's	Do.	49 :	4 :	2	
16.	Capt. Thomas's	Do.	29 :	8 :	2	
17.	Capt. Mann's	Do.	35 :	9 :	8	
18.	Capt. Crosby's	Do.	17 :	18 :	7	
(17)	Joseph Blood in Capt. Mann's Comp[y] killed, his loss		4 :	17 :	10	
19.	Doctor Barker's loss		5 :	0 :	0	
20.	Thom[s] Collins's loss		6 :	11 :	6	
21.	Jon[a] Harris's loss		2 :	13 :	4	
22.	Paul Clogstone's loss		1 :	13 :	0	
23.	Jon[a] Grey's loss		2 :	0 :	0	
24.	George Shannon's loss		6 :	2 :	0	
25.	William Mitchel's loss		7 :	3 :	0	
26.	Asa Cram's loss		2 :	8 :	0	
			£594 :	2 :	9	1-2

(1) McLaughlin's.—ED

Estimate of the Losses sustained by Capt. Henry Dearborn's Compa. in Colo. Stark's Regmt. of N. Hampr Troops at Bunker Hill, June, 1775.

[NOTE. The estimate of losses, &c., which here follows, is copied from MS. State Papers, Vol. I, pp. 269–285, but the particular articles lost, as specified, are copied from "Province & Revolutionary Papers," in Secy's office, and are so intermixed with other matters, as not to admit of exact paging. — ED.]

Joseph Jackson	£0: 12		David Mudgett	1: 19	
Josiah Moody	5		Jam^{s} Garland	18	
Nicholas Brown	3		Nath^{l} Batchelder	14:	6
Jacob Morrill	1:	6	Jam^{s} Beverly	14:	6
Robert Morrison	14:	6	Benj^{a} Berry	2:	6
Mark Whidden	3: 13:	6	John Harvey	4:	8
John Runnells	3		Andrew McGaffey	2: 9:	6
John Nealy	1: 12		Theo Case	2	
Joshua Wells	12		John Bickford	1: 19	
Clement Moody	2:	6	Weymouth Wallace	2:	6
Andrew Bickford	1: 18		Neal McGaffey	2: 5	
Samuel Sias	12		And^{w} Nealy	12	
Jon^{a} Dow	12				
Peter Severance	2:	6		£32: 11:	2
Mathias French	1: 12:	6			

In Capt. Dearborn's Com'y.

Mark Whidden	(lost) 1 gun	£3:	0: 0
James Reannels	" 1 Do.	3:	0: 0
David Mudget	" 1 Do.	1: 19:	0
Andrew McGaffey	" 1 Do.	2:	8: 0
Jno. Bickford	" 1 Do.	1: 19:	0
Neal McGaffey	" 1 Do.	2:	5: 0
		£14:	11

Capt. Daniel Moore's Compa. (1) *viz.*

Cap^{t} Daniel Moore	£2		Paul Blake	4: 10	
Oliver Lyford	2:	2	Ezekiel Gilman	13:	6
Thomas Tole	2:	4	Job Sherburne	1:	4
Moses Roberts	1:	19	Insley Brown	15	
John Thing	12		Winthrop Kenniston	18	
Moses Calsey	2:	16	Tho^{s} Stickney	1: 19:	6
Nath^{l} Moulton	2:	8	Enos Runnels	1: 17:	6
Moses McConnell	1:	6	Josiah Gordon	12	
Tho^{s} Hoit	2:	8	William Towle	2:	6
John Buswell	19:	6	Josiah Allen	2:	2
Samuel Wells	2:	8	Jacob Sinkler	8:	6
Noah Dolloff	1: 17:	6	Nathan Batchelder	6	
William Tole	1: 18:	6	Benj^{a} Norris	2:	2
John McCullam	4:	8	Jam^{s} Robinson	4: 16	
Nathan Holt	3: 12		Christ^{o} Bartlett	4	
Jeremiah Homan	4:	8			
Moses Merrill	1: 16			£53: 12:	6
Ja^{s} Quimby	2:	8	L^{t} Hutchens Henry Glover } error.		

(1) Capt. Dan'l Moore lost 1 gun, Nath'l Moulton 1 do, Nathan Holt 1 do, Paul Blake 1 do. Enslow Brown, 1 pistol, Josiah Allen, 1 gun, Jacob Sinclair, 1 do. Benj. Norris, 1 do. James Robinson, 1 do.

Capt. Joshua Abbott's Compa. viz.

William Mitchell	£7: 3
Abiel Chandler	5: 2
	£12: 5

Wm. Mitchell lost 1 gun, Abiel Chandler——

Capt. Gordon Hutchins' Compa.

Daniel Livermore	£3	Benj[a] Baker	1: 4
William Beard	4	George Shannon	6: 2
Prat Chase	5: 6		
Alexander Patterson	3		£10: 18: 6

Daniel Livermore lost 1 gun, George Shannon 1 do.

Capt. Aaron Kinsman's Compa.

Aaron Kinsmans	£3	Francis Knight	1: 1
Nath[l] Fox	15	Samuel Peas	12
Abraham Kimball	2: 8	Stephen Dudley	3
John Folsom	1: 16	Eben[r] Bean	12
Thomas Frohawk	1: 18	John Manual	7: 10: 8
Alexander Smith	1: 19	Alexander Shirley	2: 11
William Willey	2: 8	James Aiken	1: 4
James Aiken £3	1: 16		
John Shirley 48s	2: 8		£32: 1: 8

Abraham Kimball, lost 1 gun, Jno. Manuel, 1 do. Jan'y 30, 1776, Rec'd of Timo. Walker jr. Seven Pounds Ten shillings & 8*d* L my. in full for my Son John's loss at Bunker Hill last June, also six dollars in full for a coat & Blanket promised by the Colony of New Hampshire.

ANTONY MANUAL.

N. B. Said Manual was in
Capt. Kinsman's comp'y Col. Starks
Reg't.

This may Cartify that Alexander and John Sharlery was in my company in Bunker Hill fight and Alexander Sharley lost a cot and knapsack to the valey of 2: 11: 0 and John Sharley lost a cot and a jacket to the valey of 2: 8: 0.

This is a thrue account as they to told me sown after the fight.

AARON KINSMAN.

June the 10th 1776.

Capt. Elisha Woodbury's Compa.

Capt. Elisha Woodbury	£ 12	Thomas Collins 10.10	6: 11: 6
Bryan Roak	12	Nathan Whiting	1: 12
Jonathan Morgan	12	Lemuel Rowell	1: 9
James Hardy	12	Solomon Cole	1
John Simpson	2: 2	Seth Cutter	2: 2
Eph[m] Kelley	4: 7	Thomas Collins	3: 18: 6
Jessey Watts	18		
Moses Poor	7: 15: 6		£34: 3: 6

Losses in Capt. Woodbury's comp'y Jno. Simpson, 1 gun; Ephraim Kelly, 1 do. & bayonet; Moses Poor, 1 do., Thos. Collins 1 do., Seth Cutter 1 do.

NOTE.

[The losses of guns in other companies are included in the more specific account of losses, which follow: See Rev[y]. Pap. in Secy's office, pp. 119, 120.—ED.]

Capt. Samuel Richard's Compa.

William Kemp	£ 3		James Carr	3	
Reuben Kemp	2: 14		Joseph Roberson	2	
Andrew Newell	2: 8		Caleb Dalton	8: 7: 10	1-2
Obed McLane	3				
Plumer Wheeler	3			£19: 1: 10	1-2
Timothy Hutchinson	3				

Loss in Capt. Samuel Richards comp'y; Caleb Dalton 1 gun. The acomp't of the loss sustained in Capt. Samuel Richard's Company in Col. Starks Regiment on Bunker Hill, June the 17th 1775.: Sarg't William Kemp 1 Napsack; Reuben Kemp, 1 coat; Andrew Newell, 1 coat; Obed McLane 1 coat; Plumer Wheeler 1 Napsack; Timothy Hutchinson 1 Napsack; Corp'l James Karr, 1 Napsack; Joseph Roberson, 1 coat = (£10: 14.)

1775, Oct'r 16, Rec'd of Timo. Walker jr. Ten Pounds fourteen shillings for the within mentioned losses, which I promise to deliver to the within mentioned men on demand.

JESSE HARRIMAN.

Capt. Thomas McLaughlin's Compa.

Hugh Campbell	£ 6		John Hunter	2: 8	
Abraham Johnson	18		Major Moore	3: 2	
Samuel Smith	2: 5		Lt. Hutchens	4	
Edward Bigsby	12		Henry Glover	7: 17	
John McNeal	3: 8		John Auld (error)		
James McCalley	1: 16		Samuel Milliken	4: 3	
John Cyphers	2: 8				
John Pattin	3			£32: 18:	8

Loss in Capt. McLaughlin's Co. Samuel Smith, 1 gun; Jno. Cypher 1 do., Jno. Patten, 1 do., Lieut. Hutchins, 1 do. Henry Glover, 1 do.

Due to John Alld 24s for a coat of uniform; to John McMurphy, do., to Sam'l Millican for loss sustained in Battle on Bunker Hill, viz. 1 great coat, 1 body coat, 1 knapsack, 1 handkerchief = (£4: 3. L. M.)

N. B. The above men belongs to Capt. McLaughlin's Comp'y Col. Starks Reg't.

Capt. John Hale's Compa.

Capt. Baldwin (killed)	£3		William Taylor	3	
Samuel Hildreth	1		John Putney	3	
Thomas Eastman	1: 16		Lt. Hoit	3	
Isaac Gates	2		Capt. Hale	3	
Thomas Hills	2: 2		Saml Bradford	1: 16	
Clifford Chasey	1: 16				
Moses Trussell	2: 2			£16: 4	

Camp on Winter Hill October 17th 1775. An acomp't of the things lost in Capt. John Hales company on Bunker Hill on the 17th day of June last, 1775, Capt. Baldwin one coate; Sam'l Hildreth 1 coat; Thomas Eastman one coat, Rec'd a coat; Isaac Gates 1 coat; Thomas Hill, 1 coat; Claford Chasey 1 coat, Rec'd a coat; Moses Trusel 1 coat & jacket; Wm. Taylor 1 Napsack; John Putney 1 Napsack; Lt. Hoit 1 Napsack; Capt. Hale 1 Napsack = (£10: 16: 0.)

1775, Oct. 17. Rec'd of Timo. Walker jr. Ten pounds sixteen shillings L. M. which I promise to deliver on demand.

JOHN HALE, Capt.

Capt. Hezekiah Hutching's Compa.— Col. Reed's Regiment.

Amos Emerson	£2 2:		Samuel Healey	3: 12:	6
Samuel Heath	3		Moses Kimball	3: 11:	1
William Gross	15		Simon Merrill	2: 9:	8
Simon Norton	2: 7:	9	John Lane	3: 5:	11
William Severance	6:	11	John Lane 3rd	2: 15:	8

James Goss		18		Joseph Spiller	1:	9:	3
Noah Buswell		18		John Varnum	5:	1	
John Tuck	3:	9:	8	Parker Hills	5:	3:	2
Levi Hildreth	1:	17:	7	Benj[a] Couch	1:	18:	11
Gilbert Bond	2:	12		Nath[l] Leavitt	4:	9	
John Morrison	3:	14		Samuel Morrill	4:	19	
Amos Knowles	1:	12		Moses Quimby	3:	19	
John Clifford	2:	4		Isaac Frye	2:	15	
Tho[s] Wadley		18:	3	Stephen Peabody		8	
Jer[e] Foster		6		Ebenezer Wells		7	
Moses Webster	2:	1		John Griffin	1:	7	
Peter Severance		10					
Thomas Willson	1:	6			£79:	0:	5
Levi Mills		11:	1				

A Return of the packs & Bagag lost by the Solders to Capt. Hezekiah Hutchins Company, lost in the Battle of the 17th Day of June, 1775. Sargent James Goss 1 great coat; Sargent John Lane 1 coat, 1 Blanket, 2 shirts, 1 pr Trousers, 2 prs stockens, 1 lb rope, napsack and catterage Box; Corp'l John Tuck 1 Blankett, 1 coat, 1 shirt, 2 pr stockens, 1 pr Trousers, 1 jacket, 1 knapsack, with sundry articles. Wil'm Harraman 1 coat, 1 Tin Quart. Benj'n Couch, 1 Blanket, 1 coat, 1 shirt, 2 pr. Stockens, 1 pr. Trousers, 1 Tin poynt, 1 knapsack with rope. Levi Hildreth 1 coat, 1 Blanket, 1 pr stockens, 1 pr Trousers, 1 pr Breeches, 1 shirt, 1 pack, 1-2 lb rope. John Clifford 1 coat, 1 Blanket, 1 shirte, 1 pr. Trousers, 1 pr. stockens, 1 pack. Sam'l Heath 1 pr Breeches, 1 shirte, 1 coat, 1 Blanket, 1 pr Stockens. Moses Webster 1 coat, 1 Blanket, 1 shirte, 1 pr Trousers, 1 pr Stockens. 1 Tin poynt. Thomas Wilson 1 coat, 1 pr Breeches, 1 Blanket, 1 shirt, 1 pr stockens, 1 pr shoes, 1-2 lb rope, 1 Tin poynt, 1 knapsack. Gilbert Bond 1 Blanket, 1 pr Breeches, 1 shirt, 1 jacket, 1 pr stockens, 1 coat, 1 knapsack. Simon Norton 1 coat, 1 jacket, 1 shirt, 1 pr stockens, 1 blanket, 1 pr shoes, 1 knapsack with sundrys. John Lane 3d 1 coat, 1 shirt, 1 pr stockens, 1 pr Breeches. Thomas Waddly 1 shirt, 1 pr stockens, 1 knapsack, 1-2 lb rope. Amos Knowls 1 coat, 1 Blanket, 1 shirt, 1 pr stockens, 1 knapsack. Ebenezer Wells 1 pr shoes. Sam'l Healy 1 coat & jacket, 1 pr Breeches, 2 pr stockens, 2 shirts, 1 Blanket, 1 pack, 1 pr Trousers. Simon Merrill 1 gun, 1-2 lb rope, 1 Tin poynt. Wm. Severance 1 pr shoes, 1 pr stockens, 3-4 rope. Peter Severance, Josiah Morss 1 blanket. Moses Kimball 1 coat, 1 pr Breeches, 2 shirts, 1 pr Trousers, 1 pr stockens, 1 Blanket, 1 knapsack. Wm. Gross 1 Blanket, 1 shirte, 1 pr stockens. Sam'l Morrill 1 blanket, 2 jackets, 1 shirte, 2 pr trousers, 1 pr stockens, 1 pack, 1 gun. Thomas Wadley 1 shirt, 1 pr trousers, 1 pr stockens, knapsack, 1 lb rope. Nath'l Levite 1 gun, 1 knapsack, 1 shirt, 1 blanket, 1 coat, 1 pr Breeches, 1 pr stockens. John Varnum 1 blanket, gun, shirt, coat, pack. Moses Quimby 1 gun, 1 blanket, 1 shirt, coat, pack. Stephen Peabody 1 blanket, 1 shirt.

Capt. Jacob Hind's Compa.— Col. Reed's Regiment.

Richard Coughlan	£1:	2		Jacob Davis		2	
John Cole		13:	6	Samuel White	3:	4	
David Stoddard	2:	14		John White		12	
Elisha Balding	1:	12:	6	Elijah Elmer	2:	17:	6
Elijah Taylor	2:	5:	6	Nath[l] Pettingill	4:	19:	6
Eben[r] Chamberlin	1:	4:	6	Eleazer Robins	1:	13	
Jonathan Wright	3:	3		Ephraim Stone	2:	5:	6
Nahum Goodenough	1:	16		Reuben Tarbell		10	
Oliver Johnson	1:	6:	6	Ens[n] Geo. Aldrich		16	
Jonathan Barrett	2:	7:	2	Silas Tamworth	2:	2	
Luther Winslow	2:	19		Ezra Evans	1:	13:	6
Samuel Robins	2:	14		Capt. Jacob Hinds	6:	6:	4
Israel Thomas	2:	12		Lewis Achor	1:	10	
Samuel How	1:	14		Ephraim Leonard	3:		2
Josiah Powers	1:	12:	6	John Davis	8:	12:	2
John McMichel	1:	10		William Farwell	3:	2:	10
David Darby	2:	6		Hinds Reed		6:	8
David Robins		16		Daniel Carlisle		8	
James Simonds	1:	18:	6				
Lemuel Wentworth	5:	4			£85:	11:	10

An acount of the things that was lost in Capt. Jacob Hinds company in Col. James Read's Ridgment lost in the Field of Batel on the 17th Day of June at Charlestown 1775. Capt. Jacob Hinds, blanket, 3 shirts, trouses, stockings; Serg't Richard Cochlan, shirt, shoes, gun: Serg't Ezekiel Davis 1 blanket; Serj. William Farwell 1 blanket, 2 shirts, 1 pr trouses, 3 pr stockings; Corp. Samuel White, blanket, shurts, trouses, stockings, shooes. Corp. Nath'l Petingel, blanket, shurts, trouses, stockings, shooes. Job Britun, buckels, shoes, handkerchief. Luther Windslow, blanket, 1 shirt, 1 pr trouses. Silas Farnsworth, blanket, shirt, pr. trouses, 2 pr stockings, shooes. Ira Evans 1 pr stockings. Israel Thomas, shurt, trouses, shooes. John White 1 shurt, 1 pr shooes. Jonathan Wright, stockings. David Darby, 1 blanket, 3 shirts, 1 pr stockings, shoes. Lemuel Wintworth, shirt, 1 gun?— John McMitchell 1 Pocket book. David Robens, shirts, trousers, 2 pr stockings, caps. Samuel Robens, shirts, trousers, stockings. Elezer Robens 1 handkerchief. Elijah Elmer, blanket, shirt, trousers, stockings, handkerchief. Elijah Taylor, shirt, trousers, stockings. Nahum Goodenow, 1 drum. James Symonds 1 shirt, trousers. Oliver Johnson 1 shirt, one pr. stockings. Ebenezer Chamberlin, blanket, stockings, shoes, razor; Jonathan Barret, coat, shirt, blanket, 2 pr shoes, sack, tumplines (1), stockings, trousers; Elisha Balding, coat, shurt, shoes, sack & sundry articles; Daniel Carlile, shoes, stockings; Lewis Acres, 1 gun, 1 pr shoes, 1 pr stockings; Ephraim Stone, 1 fine shirt, 1 blanket, 1 pr shoes, 1 tow shirt, 1 pr stockings; Ruben Tarble, shirt, shoes.

JACOB HINDS, Capt.

A list of Packs and Clothing lost in Capt. Hinds Company in the Lait fight June 17 1775.

Blankets	14	Jackets	1
Napsacks	20	Guns	3
coats	19	Pistols	1
shirts	29	Drum	1
stockings	27 pair	Saddles	2
Breeches	27 pair	Bridle	1
Shoes	9 pair	Underbed	1

JACOB HINDS, Capt.

Capt. Levi Spalding's Compa.— Colo. Reed's Regiment.

Capt. Spaulding	£1:	12:	11	David Carleton	£1:	10	
Lt. Bradford	1:	12:	7	Phineas Hardy	1:	12	
Ens'n Buffee	1:	4:	8	Joseph Ellingwood	3:	19:	8
Serj't Ley	3:			Samuel Lowell	1:	17:	3
do. Hutchinson		16		Samuel Leeman	2:	13:	4
do. Merrill	4:	17		Isaac Carkin	1:	15:	2
do. Bayley		15		Ezra Dutton	1:	8:	8
Corp'l Dyke	1:	3:	5	Eph^{m} Rolf	3:	9:	4
do. Hutchinson	4:	4		Eph^{m} Smith		11:	4
do. Walker		12		Samuel Stiles		13:	7
do. Campbell	2:	9:	3	Richard Hews	3:	8:	8
Joshua Chace	2:	12		William Brown	4:	10	
John Johnson		12		William Tuck	1:	12:	11
Edward Bevens	2:	15:	5	And^{w} Bayley	2:	6:	8
John Osgood	4:	12:	8	Isaac Cowan	1:	8:	4
Andrew Thompson	2:	8:	4	Rob^{t} Bras^{d} Wilkins	1:	16	
David Glover	1:	18		Jacob Welman	2:	2	
Robert Glover	1:	11:	4	Eph^{m} How	1:	5:	1
Samuel Currier	4:	13:	10	Samuel McMaster		3:	4
Thomas Hardy	2:	6:	8	Jacob Dutton		12	
Benja. Starnes	1:	14		Jam^{s} Phillips		12	
Isaac Starnes	2:	16		Jesse Lunn	1:	16	
Nath'l Batchelder	2:	13:	4	Jam^{s} Pemberton		7	
Jam's Campbell	1:	12:	8				
Timothy McIntire	1:	3:	7		£42:	13:	11

A Return of clothing and other things lost in the fight of the 17th of June, 1775, Belonging to Capt. Spaldings company.

Capt. Spalding, one shurt, 2 pair stockings, 1 Briches; Lieut. Bradford, 1 Blanket, 1 shurt; Ens. Buffe, 2 shurts, 1 jackett, 2 pr stockings; Serjant Lee, 1 Blanket, 1 coat, 1 jacett, stokins & shoes; Serj. Hutchins, 1 blankett, &c.; Serj. Merril, 1 coat, 1 blanket, bedtiking shurt; Serj. Bayley, Catridge Box, 1 shurt, a snapsack; Corporal Pike, 1 Blanket, 1 shurt, 2 pair stokins, 1 pr shoes; Do. Hutchinson, 1 blanket, 1 coat, 1 jacett, 2 shurts, &c.; Do. Walker, 1 blankett; Do. Campbell, 1 blanket, 1 coat, 2 shurts, 1 pair stokens; Joshua

(1) A strap placed across the forehead to assist a man in carrying a pack on his back.— *Web. Dict.*

Chace, 1 blanket, 1 shurt, 1 pr Briches, stokens; John Johnson, 1 shurt, 1 pair stokens, 1 pair Briches; Edward Bevins, 1 blanket 1 shurt, 1 pair stokens; John Osgood, 1 Gun, 1 coat, 1 Blanket, 2 pr stokens, 2 shurts; Andrew Thompson, 1 coat, 1 Blanket, 1 Hankercheff; David Glover, 1 Blanket, 1 coat, 1 pr Briches, 1 shurt, 1 pair stokins; Robert Glover 1 blanket, 2 shurts, 2 pr stokens, pr. Briches; Samuel Currier, 1 gun, 1 blankett, 1 coat & jacket & Briches; Thomas Harday, 1 blanket, coat, jacket, stockins &c.; Benja. Starnes, 1 jacket, 2 shirts, 1 pr. Briches; Jona. Starnes, 1 gun, 1 coat, 2 shurts, 1 pr. Briches, 1 pr. Trowsers; Natha'l Bacheldor, 1 blanket, 1 coat, 3 shirts, 1 pr Briches; James Campbell, 2 shirts, briches, stockens, hand kerchief; Timothy McIntire, 1 Blanket, 1 shirt, catreg; David Carlton, 1 coat, 1 Blanket, 1 stokens, 2 shirts; Phineas Hardy, 1 coat, 1 Blanket, 1 shurt, Briches; Joseph Elingwood, 1 coat, 2 Blankets, 1 shurt, &c.; Samuel Lowel, 2 shurts, 1 jacket, Catridge Box; Samuel Leeman, 2 coats, 1 Blankett; Isaac Carkin, 2 shurts, 1 Briches, 1 pair Trowsers; Ezra Dutton, 1 coat, 1 shurt, Briches, stokens, &c.; Eaphraim Rolf, 1 gun, 1 Blankett, 1 shurt, stockens; Ephraim Smith, 1 shurt, 1 snapsack, stockings; Samuel Stils, 1 shurt, 1 Trowsers, Catridge Box; Richard Hughes, 1 pair Briches, 1 coat, stokens; William Brown, 2 coats, 1 Briches, 2 shurts, stokens; William Duck, 2 coats, 1 shurt, 2 pair stokens; Andrew Baley, 1 coat, 1 shurt, 1 Trousers, stokens; Isaac Cowen, 1 Blankett, 1 coat, Trowsers; Robert Wilkins, 1 Blankett, 1 shurt, Briches, stokens, shoos; Jacob Wellman, 1 coat, 1 jacot, 1 shurt; Ephraim How, 1 gun Briches and shurt.

Capt. Spaldwin's Return.

List of things that was lost at the Battel belonging to Capt. Spaulding's Company.

Guns	5	Briches	14 pare
Blankets	17	Stockens	31 pare
Cotes	25	Trowsers	7 pare
Jackets	6	Shoes	6 pare
Shirts	50	Snapsacks	20

LEVI SPAULDING, Capt.

Capt. Ezra Towns Compa.—Colo. Reed's Regiment.

Lt. Josiah Brown	£1:	19		David Eliott	£1:	4	
Ens[n] John Harkness	3:	18		Thomas Patterson	2:	4:	4
Serj[t] Benj[a] Williams	9:	2		Archibald White		2:	6
Farrar Miller	1:	12:	3	Stephen Adams		7:	6
Isaac Stanhope		12		Jeremiah Prichard	1:	14	
Timothy Avery		2		David Avery		3:	7
Samuel Sloper	1			Josiah Walton		15:	7
Eben Pratt	2:	3:	5	Benj[a] Cutter		4	
Josiah Stone	3:	9:	4	Peletiah Whittemore		2:	8
Levi Adams		8		Samuel Hutchens	1:	6	
Daniel Severance	3:	7:	6	Peter Brown	1:	10	
Daniel White	1:	13		Silas Gill		19:	2
Jonathan Stevens	4:	18					
Nath[l] Carlton		11			£37:	10:	1
William Scott		14					

A Return of the things lost in Capt. Ezra Towne's Company, in Col. Reed's Regiment on the seventeenth of June, 1775, in the fight at Charleston.

The names of those that lost things:

Lieut Josiah Brown, 1 hat, 1 sword, 1 Malitia Book, one Bottle; Ensign John Harkness, 1 gr't coat, 1 st Bod'd do., 1 sword, 1 Ink-pot; Benja. Williams, 1 cutlass, 1 Razor, 1 Bottle, tobacco; Farrow Miller, 1 st. Bod'd coat, 1 shirt, 1 pair hose, 1 Napsack; Isaac Stanhope, 1 Blanket; Timo. Avery, 1 Cartridge Box; Sam'l Soper, 1 gun; Eben'r Pratt, 1 st. Bod'd coat, 1 blankett, 1 Napsack; Josiah Stone, 1 coat, 2 shirts, 2 pair of hose, 1 pr. shoes, 1 hankerchief, 1 razor, Napsack; 1 pair Breeches, 1 pair of Trowsers; Levi Adams, 1 pr. of Trowsers; Daniel Severance, 1 g't coat, 1 st. Bod'd Do, 1 pr. of Breeches, 1 pr. trowsers, 1 bayonet, 1 pr. hose; 1 shirt, 1 Napsack. 1 Tumpline, 1 hankerchief, 1 waistcoat, 1 shirt, 1 Psalm book, 1 pr. spectacles, 1 gun lock; Daniel White, 1 Blanket, 1 coat, 1 shirt, 1 pr. hose, 1 Napsack, 1 hankerc'f; Jonathan Stevens, 1 st. Bod'd coat, 1 g't coat, 1 pr. Breeches, 1 pr. hose, hat; 1 razor, 1 pr. of shoes, 1 Napsack, 1 Tumpline; Nath'l Carlton, 1 pr of shoes, 1 pr. of Buckles, 1 razor, 1 Book; Thos. Pattison, 1 Blanket, 1 shirt, 1 gun, 1 pr. Trowsers, 1 coat; Arch'l White, 1 hankerchief, 3 Fills (1) of Firr Balsome; Stephen Adams, 1 bayonet, 1 razor; David Eliot, 1 gun; Sam'l Hutchins, 1 st. bod'd coat, three shirts; Jeremy Pichard, 1 st. Bod'd coat, 1 bayonet; David Avery, 1 cartridge box.

EZRA TOWNE, Capt.

(1) *Vials?*—ED.

A List of Packs and clothing Lost in Capt. Ezra Towns company in the late fight, June 17, 1775.

Blankets	2	Jacotes	4
Snap-sacks	7	Guns	4
Coats	14	Trowses	4 pare
Shurts	9	Hancorchifs	4
Stokens	9 pare	Swords	2
Britches	9 pare	Catose box	2
Showes	1 pare	Chest	1

EZRA TOUNE, Captin.

Capt. Jonathan Whitcomb's Compa. — Colo. Reed's Regiment.

Ensign Carter	£3:	18		Silvanus Reed	5:	11	
Josiah Hastings	2:	11		Edward Arnold	3:	16	
Elisha Walton	2:	14		Amos Boynton	1:	10	
Jesse Cheeney	4:	4		Amasa Parker	1:	5	
Enoch Cummings	1:	7		John Whitney		10	
Moses Tucker	2:	8		Pearson Newell	2:	8:	
Stephen Brigham	2:	8		Wlliam Heaton		6	
Abijah Whitcomb	3:	9		Joshua Ellis	4:	16:	8
Josiah Burton		4:	8	John Merrill	3:	6	
Charles Johnson	2:	18		Asa Gale	2:	9:	4
Benja. Johnan	3:	6		John Harrington	2:	16	
Waitstill Feild		4		Joshua Farr		9	
Moses Tucker		4		Jonathan Farr	2		
Capt. John Whitcomb	12:	9:	4	Wm. Toolman	1:	6	
Lt. Elijah Clays	2:	12		Ezekiel Chase	2:	12	
Eleazer Jordan	1:	7		Joseph Fassett	2:	5	
Hallowell Merrill	3:	2		Andrew Butler	2:	2	
Samuel Follett		19					
Ebenr Parsons		9			£90:	2:	0

An account of the things that was lost in Capt. Whitcomb's company in Colo. Reed's Regiment on the 17th day of June, 1775, by the fight that was between the Continental troops, and Generai Gage's troops on Bunker Hill. at Charlestown.

Capt. Jonathan Whitcomb, Great coat, St. Bod'd coat, handkerchief, sundries; Ens. Stephen Carter, shirt, hat; Sarg't William Heaton, shoes; Sarg't Amos Boynton, great coat, stockens; Sarg't Josiah Hastings. St. Bod'd coat. stockens, shirts, pocket book; Sarg't Silvenus Reed, St. Bod'd coat, jacket, shoes, stockens, trousers, handkerchief, short Breeches, shirt; Corp'l Luther Trowbridge, stockens, short breeches; Elisha Walton, stockens; Samuel Follet, shoes, trousers, shirt; Stephen Brigum, St. Bod'd coat; Jo. Harrendon, st. Bod'd coat, stockens, trousers, shirt, hat; Moses Tucker, st. Bod'd coat, trousers, handkerchief; Asa Gale, st. Bod. coat, stockens, shirt; John Merrill, st. Bod. coat, shoes, stockens, short breeches, shirts, sundries; Edward Arnold, great coat, jacket, cartridge box, &c: Joshua Farr, st. Bod'd coat, hat, &c; Holowel Merril, great coat, stockens, short breeches, shirt; Eleazur Gurdin, stockens, trousers, short breeches; Jonathan Farr, hat, &c; Charles Millens, st. Bod'd coat, stockens; Josiah Burton, cartridge box shot to pieces; Charles Jonston, great coat, shoes, stockens, short breeches, shirt; Luther Trobridge, stockens, short breeches; Jesse Cheney, great coat, st. Bod'd coat, shoes, stockens, trousers, short breeches, shirt; Joshua Ellis, wounded, st. Bod'd coat, stockens, shirt, gun, &c.; Ebenezer Parsons, jacket, shoes; Benjamin Toleman, shoes, stockens, trousers, shirt; Joseph Fassett, great coat, shoes, stockens, trousers, shirt, &c.; Andrew Butler, great coat, stockens, trousers, shirt, &c.; William Toleman, stockens, trousers, short breeches; John Whitney, shoes, stockens; Enoch Cummins, sundries?; Amasa Parker, stockens, short breeches, shirt; Pearson Newell, sundries?; Abija Whitcomb, st. Bod'd coat, shoes, stockens, trousers, shirt.

JONATHAN WHITCOMB, Capt.

A List of Packs, Blanketts and other cloathing lost in the fight, June 17, 1775. in Capt. Whitcomb's company.

Blankets	4	Guns	3
Snapsacks	2	Hats	2
Coats	13	Cartridge Boxes	1
Shirts	18	Beds	2
Stockings	20	Sheets	2
Breeches	4	Rugs	1
Shoes	12	Pillows	4
Jackets	2		

Josiah Hastings, Ord'y Sargent.
Jonathan Whitcomb, Capt.

Capt. William Walker's Compa.— Colo. Reed's Regiment.

L^t James Brown	£1:	4		Mansfeild Taplin		17	
Francis Putnam	4:	7		Silas Chamberlin	4:	5	
Jon^a Emerson	1:	16		John Lovewell	1:		8
Israel How	1:	19		Henry Lovejoy	4:	3	
William Harris	1:	11		Jon^a Gray	2		
Abel Danforth		11		William Harris	1:	4	
Jon^a Danforth	1:	10:	4	Isaac Brown	1:	14	
Phineas Whitney		17		James Harwood	2:	12	
Paul Clogstone	1:	13		Benj^a Whitney	2:	5	
Henry Lovewell	1:	10		Timothy Darling	1:	9	
Medad Combs		11		William A. Hawking		9:	4
Ichabod Lovewell	2:	8		Benj^a Bayley		6:	4
Philip A. Robey	3:	4		Capt. William Walker		13:	6
John Snow	1:	4		Benj^a Bayley		5	
Eleazer Blanchard	2:	2		Eliphalet Bayley		5	
Nehemiah Winn		6		Archibald Gibson	1:	16	
Wm. Butterfield	1:	12		Jason Russell	2		
Joseph Greeley	2:	16:	4	Asa Cram		2:	8
Jacob Blodget		4					
Jon^a Harris	2:	13:	4		£64:	11:	10
Nehemiah Lovewell		12					

A Return of what was Lost in Capt. Wm. Walker's company on the 17th of June, 1775.

Lieut. James Brown, 1 surtoot, coat; Francis Putnam, 1 blanket, 1 surtoot, 1 shirt, 1 gun; Jona. Emerson, 1 gun; Israel How, 1 snapsack, 1 great coat, 1 shirt, 1 pare Trowsers, 1 pr Hoes; Wm. Harris, jun 1 pr. Mooskin-breeches, 1 snapsack, 1 shirt, 3 woolen shirts, 1 pr. hoes; Abel Danforth, 1 snapsack, 1 shirt, 1 pr. hoes, 1 great coat; Jona. Danforth, 2 shirts, 1 tow-shirt, 1 pair breeches, 1 blanket, 1 catteridge box, 2 pr. hoes; Phineas Whitney, 1 shirt, 2 pr Trowsers, 1 pr. hoes, 1 pr. shoes, 1 blanket, 1 snapsack; Paul Clogston, 1 snapsack, 1 pr. mooskin breeches, 2 shirts, 1 pr. trowsers, 1 blanket, 2 pr. hoes; Henry Lovewell, 1 snapsack, 1 coat, 1 shirt, 1 pair Hoes; Medad Combs, 1 snapsack, 1 shirt, 1 pr. Hoes; Ichabod Lovewell, 1 Blanket, 1 shirt, 1 pr. Hoes, 1 coat, 1 Pistol, 1 Fife; Phillip A. Roby, 1 snapsack, 1 blanket, 1 shirt, 1 pr. trousers, 1 pr. Hoes; John Snow, snapsack, 1 blanket, 1 shirt, 1 pr. trowsers, 1 pr. Hoes; Eleazer Blanchard, 1 new Blue serge coat lin'd; Nehemiah Winn, 1 shurt; Wm. Butterfield, 1 snapsack, 1 shirt, 1 pr. Hoes; Joseph Greele, 1 snapsack, 2 shirts, 2 pr. Leather-breeches, Cartridge-box; Jacob Blodgett, 1 pr. hoes; Jona. Harris, 2 shirts, 1 pr. Trousers, 1 Blanket, 1 gun, 1 Catteridge Box; Nehemiah Lovewell, 1 shirt, 1 gnapsack; Adrian Hawkins, 1 pr. shoes, 1 pr. Hoes; Mansfield Toplin, 1 shirt, 1 pr. Hoes, 1 gnapsack; Silas Chamberlain, 1 coat, 1 jacket, 2 shirts, 1 gnapsack; John Lovewell, 1 gnapsack, 2 shirts, 1 pr. Hoes; Henry Lovejoy, 1 gnapsack, 1 Blanket, 1 shirt, 1 great coat, 1 pr. Deerskin-breeches, 1 pr. sheepskin-breeches, 2 Hoes; Jona. Gray, 1 gnapsack, 1 Blanket, 1 great coat, 1 shirt, 2 pr. Hoes, 1 pr. trowzers; Wm. Harris, Drum sticks & sling; Isaac Brown, 1 gnapsack, 1 pr. Hoes, 1 pr. shoes, 1 shirt, 1 pr. breeches, 1 surtoot, 1 jacket, 1 pr. trowsers; James Harwood, 1 coat, 1 pr. Breeches, 1 shirt, 1 pr. Hoes; Benja. Whitney, 1 snapsack, 1 shirt, 1 pr. trowsers, 1 blanket, 1 pr. shoes, 1 Bible; Timothy Darlin, 1 coat, 1 snapsack; Benj. Bayley, 1 Powder horn, 1 cattridge-box; Capt. Wm. Walker, 2 pair shoes, 1 3-4 yds. fine cloth at 3-4 per yd.; Asa Cram, 1 gun and bayonet.

The above Account is the true account of what my company Lost on Bunker Hill, Charlestown, the 17th of June, 1775, and justly prized according to the best of my knowledge. Winter Hill, July 15th, 1775.

WILLIAM WALKER, Capt.

Capt. Philip Thomas's Compa.— Col. Reed's Regiment.

L^t John Harper	£	12		Benj^a Lovering		4:	6
Ens^n Ezekiel Rand	3:	16:	4	Daniel Lake		4	
Benj^a Davis	1:	15		Leme Page		6:	8
Ezekiel Learned	2:	14		David Davis		12	
Jacob Peirce	1:	3:	4	Henry Davis		4	
Simon Davis	1:	4		Nehemiah Porter		6	
John Demerry		7		Peter Webster	1:	12:	8
Simeon Ingolls	2:	14:	6	Benj^a Parker		2	
Jeremiah Russell		6:	8	Thomas Henderson	2:	19	

Obadiah Marsh		6		Richard Alexander	3:	8	
Benj[a] Beals		12		Caleb Winn	3:	3:	8
Joel Russell	5:	4		John Thompson	2		
Dudley Griffin	1:	8		David Hale	5:	6	
Thomas Emery	1:	4		Isaac Adams	7		
Hugh Gregg		17		George Calton	7		
Ezekiel Demerry		2		Jonathan Lovejoy	6		
Benj[a] Dole		6		James Coffering	1:	4:	8
Reuben Page	1:	1:	2				
Timothy Rogers		15			£59:	16:	4

A List of Losses, sustained in the Batal and Retreat on bunker hill the 17th of June, 1775, of Capt. Thomas's Company in the New Hampshire Reserves.

Lieut. [John Harper,] one hat; Ens'n [Ezekiel Rand] coat two shirts, one gun, iron strike sword, pr hose; Sarg't. Benjamin Davis, a blanket, surtout, one byanot; Sarg't Ezekiel Larned, one *gone* [gun] one byanot & belt, one powder horn; Sarg't Simon Davis, one coat; Sarg't Jacob Pierce, a coat, a shag great coat & pack; Corporal John Demary, one blanket, one byanot, one haversack; Corp'l Semion Inglas, one Cartridge Box, one gun, & byanot, one powder horn, one blanket; Corp'l. Benjamin Lovring, *Cadous* Box & silke handkerchief; Drums & Fifers — Daniel Lake, one pair of *suse* [shoes] one blanket; Lemi Page, one shagge great coat; Richard Alexander, *caduse* Box & a coatc; Thomas Hutchinson, a pare of trowsors; David Daves, a fine shirt, & a pare of yarn hose; Jonathan Lovejoy, a surtoot, four shirts, one coat, two waistcoats, one gun, three pare of hose, one pouch, neckcloth, one pr. of trousers, one cat—box, byanot; Nehemiah Porter, a Baynot; Thomas Henderson, 2 shirts, 2 pr. hose, coat & wastcoat, & a pare of Lether breeches; James Cochran, blanket, pr. Briches, a pr. of hose, a Rasor, havsak; Dudley Griffin, a coat & shirt; Benjamin Beales, a shirt, two pr. of hose; Ezekiel Demary, one pr. of hose; Reuben Paige, a great cote, & one shirt, 1 pr. of hose, 1 powder horn, one cartridge Box, one wastcoat; Obadiah Marsh, one shirt, 1 pr. of hose, one Havisack; Joell Russell, 1 coat, 1 pr. Leather-briches, 1 pr. hose, two shirts, one hat, 1 powder horn, havesack; Jacob Hobbs, one blanket; Timothy Rogers, one shirt; Godfary Richison, one pare of suse [shoes]; Henry Davis, one pare of trousers; Hugh Gregg, one shag great coat, 1 shirt, 1 powder horn, Bulet-pouch.

PHILIP THOMAS, Capt.

Benj. Dole, lost Comp'ys Bread? Peter Webster, a felt-hat, and coat, and 1 pair of Leather-briches, one shirt, and one havsack and one Bulet pouch; John Thompson, one pair *suses*, one wast-coat, 1 shirt, 2 pr of trowsers, one neck-cloth, one Havesack, 1 pr. of hose, 1 *gone* & powder horn; George Calton, Samuel Adams and Jonathan Lovejoy mentioned [above] we, the aprisors of this Company comput their loss of guns and other artikals to amount of 18£, besid the loss of their lives or in captivity.

PHILIP THOMAS, Capt.

Capt. Benja. Mann's Compa.— Colo. Reed's Regiment.

William Parker	£	17:	7	Daniel Collings		8	
Sam'l Campbell	1:	81:	10	Simeon Hildreth	1:	12:	9
John Buxton	2:	2		Joseph Hodgman		5:	4
John Adams	2:	5		Eben[r] Carlton		5:	4
John Thomas	1:	7:	4	Geo. Woolson	1:	3:	4
Robert Worsley		15		Jon[a] Robins		13:	8
John Sloan		19:	2	Isaac Barrett	1:	17:	6
Amos Colborn	2:	6:	6	Zacheus Hodgman		5:	4
Tho[s] Tarbal	1:	10		Joseph Blood	4:	17:	10
Sam[l] Scripture	2:	1:	2	Eben[r] Blood	4:	16	
Elijah Avery	2:	15:	4	L[t] Brewer		6:	11
Jeremiah Holt		1:	4	Capt. Mann	1:	16	
Sam[l] Wright		5:	12	John Gibson		14:	6
Isaac Flagg	2:	14:	5				
Samuel Abbott	1:	13:	11		£48:	18:	6
John Fish	3:	9					

A True account of what was lost in the Battle on Bunker's hill in Capt. BENJAMIN MANN'S Company in June ye 17th 1775.

Samuel Campbell, a coat, a pare of Trousers, shirt, Snapsac, Tumpline, Blanket, a pr. of Breeches, a pare Stockens; John Adams, a pare of Socs; John Buxton, a gun; John Thomas, a coat, a pr. of shoes, a Snapsack, a Tumpline; Robert Wolsey, a pare of Stockens; John Slone, a coat, shirt, a Snapsack & Blanket; Zacheus Hodgman, a Blankett; William Parker, a shirt, a pare of Trousers, snapsack, a pr. of stockens, hat; Amos Coburn

a coat, a pr. of trousers, a snapsack, a Blankett, pr. Stockens; Joseph Hodgman, a Blankett; Thomas Tarbell, a coat; Isaac Barrett, a Blankett; Samuel Scripture, 2 shirts, a gun, a snapsack; Elijah Avery, a pair of Stockens, a gun; Benjamin Mann, a gun; James Brewer, a pare of shoes; Jeremiah Holt, Snapsack; Samuel Right, a coat, 2 shirts, 1 gun, a snapsack, a Tumpline, a Blankett, a pr. of breeches, a pr. of Stockens; Isaac Flagg, 2 coats, a shurt, a pr of shoes, a Snapsack & tumpline, a Blankett, a pare of Breeches, a pr. of stockens; Samuel Abbott, a gun & Bayonet; John Fish, a jacot, a pare of trousers, 2 shurts, a pr. of shoes, a Snapsack & Tumpline, a pair of breeches; Daniel Collins, a pr. of Breeches; Simeon Hildreth, a coat, a shurt, a snapsack, a Blankett; Ebenezer Carlton, a silk handkerchief; Geo. Willson, a coat and handkerchief.

BENJAMIN MANN, Capt.

Capt. Josiah Crosby's Co.— Col. Reed's Regiment.

	£					
Capt. Crosby		13:	4	Eben^{r} Wakefield	2: 12:	3
L^{t} Dan^{l} Wilkins	1:	5		Joseph Wakefield	1:	4
Ens^{n} Thompson Maxwell		16:	8	Alexander Brown		14
Wm. Bradford		5		Daniel Kenney	2:	17
Josiah Sawyer	3:	16:	4	Jam^{s} Gilman		2
Lemuel Winchester		3		Jabez Holt		4: 8
Thad^{s} Fitch		15		Samuel Williams		7
Joshua Abbott		6		Nath^{l} Barrett		5: 8
Jonas Perry		12:	4	John Cole	5:	13: 6
Samuel Starnes		4		Stephen Crosby	2:	2
And^{w} Leavitt	1:	8		Jonathan Wilkins		6
Joseph Bowtel		6				
Joseph Wallace		6:	8		£27:	10: 1
Nuss Sawyer		4:	8			

An account of things that was lost at the Battle on Bunkers hill, on the 17th of June. 1775, belonging to Capt. Crosby's Company, viz. Capt. Crosby's things are 1 pistel & 1 pair of worsted stockings; Lieut. Daniel Wilkins 1 cotton shirt; Ens'n Thomson Maxwell 1 fine shirt & one powder horn; Adg't Stephen Peabody one blanket & one shirt; Quarter Master Frye one coat & one Hatt; Serg't William Bradford one shirt; Serg't Lemuel Winchester one pair of shoes; Eli Wilkins 1 Blanket & one Bullet Mold; Alexander Brown 1 cotton shirt, one pair of stockings & one gnapsack; Thaddeus Fitch 1 shirt, 1 pair of calf-skin pumps, 1 pr. trowzers & Gnapsack; Samuel Starnes 1 pair of shoes; Stephen Crosby. 1 great coat & 1 shirt; Jona. Wilkins 1 shirt; Thomas Giles one gun, 1 cartooch Box & one jacket; Thomas Perry one woolen shirt, one powder horn & one gnapsack; Joseph Boutel one pair of stockings. 1 pair of Leather-Breeches; Nathaniel Barrett 1 gnapsack, one pair of shoes & buckles & 1 handkerchief; Sam'l Williams 1 shirt & one handkerchief & one gun; James Gilman, 1 Blanket & one Handkerchief; Joseph Wakefield, 1 pr of Deer-skin Breeches, 1 Cartooch Box; Eben'r Wakefield, 1 sett of shoe-makers Tools, 1 shirt 2 pr of stockings & 1 pr of shoes; Dan'l Kenney, 1 great coat & one gun; Joseph Wallis 1 pair of shoes; Andrew Leavitt, 1 coverlid, one pr. of stockings, 1 gnapsack & Handkerchief; Josiah Sawyer one gun, one coat, one Powder horn & one Bible; Joshua Abbot 1 gnapsack & pair of stockings.

JOSIAH CROSBY, Capt.

Capt. John Marcey's Compa.— Col. Reed's Regiment.

	£					
Capt. John Marcey	11:	9		Alexander Debbell	2:	6: 6
L^{t} Isaac Farwell	5:	15		Caleb Earl		7
Jam^{s} Taggart	2:	10		Benj^{a} Howard	1:	3: 6
John Barrett	8:	1		Timothy Clark	2:	4
William Starns		10		John Rooks	5:	14
Gamaliel Deming		5:	6	Isaac Reed	2	
Jon^{a} Eastman	2:	14		Amos Flood	2:	8
Jon^{a} Conant		10:	6	Daniel Adams	3:	15
Philip Huntoon	2:	16:	6	Samuel Marcey		5
Joseph Powers		18		Jam^{s} Fowles	1:	9
John Cross	1:	2		Zadock Dodge	3:	3: 6
John Pulcipher	3:	6		Joseph Parks	3:	1
Samuel Harper		18		Samuel Burr	3:	11
Stephen Gilman		18		Gilbert Caswell	2:	15
Hezekiah Clark		17		Isaac Johnson	5:	5

Cornelins Warren		18	Elisha Gustin	1:	9
John Downes	1		Joseph Farwell	6:	6
David Cross		17			
William Stevens		5		£99:	6: 6
Ebenezer Kingsberry	1:	7	Doctor Barker	£5:	
Edward Keys	5:	5	Col° Israel Gilman	1:	13: 10
John Caulkings		9	Col° Isaac Wyman	6	

Charleston, June ye 21. This is the acompt of the Packs that was lost in the fite the 18? of the same month Belonging to Capt. John Marcy. Capt. Marcy 1 good coat, 2 good fine shurts, 1 pr. stockings, 1 blanket, 1 pr Boots; Lt. Farwell, 1 sword, 1 good coat, 4 good shurts, 4 pr. of stockings, 1 pr of Boots, 1 pr. Sadelbags, 1 pr of spurs, 1 pr. Lether briches, 2 silk handker'. 1 Blanket; Ens. James Tagard 2 good shurts. 3 pr stockings, 1 pr sadelbags. 1 pr shous. 1 Tumpline, 1 pillar case; Isaac Johnson, 1 good Blanket, 1 good pillercase, 3 good shurts, 3 good pr. of stockings, 1 good pr. trouses, 1 good frock, 1 good razor and sum other things Besides; Ebenezer Kingsbury 1 good shurt, 1 pr. stockings, 1 pr. trouses, 1 pr. shous, 1 tumpline, 1 Blanket; Jonathan Eastman, 1 good Blanket, 1 good shurt, 1 pr trouses, 2 good capes, 1 good Rasher, 1 new pair of shoues; Jonathan Eastman jun'r. 1 good piller-case, 1 good Blanket, 1 shurt, 1 pair trouses; Heskier Clark, 1 Blanket, 1 shurt, 1 pr. trouses, 1 pr stockings; Daniel Adams, 1 Blanket, 1 coat, 1 shurt, 1 pr velvet briches; Elisha Gustin 1 Blanket, 1 shurt, 2 pr stockings, 1 piller case, 1 tumpline; Stephen Gilman, 1 shurt, 1 pr stockings, 1 piller case, 1 pair shous, 1 pr buckels; Joseph Parke, 1 velvet jacat, 1 shurt, 2 pr stockings, 1 tumpline; Amos Flud, 1 shurt, 1 pr trouses, 1 piller case, 1 shurt; Alexander Dibbel, 1 Blanket, 1 pr cloath Briches, 1 pr stockings; Caleb Airl 1 pr stockings, 1 tumpline; John Downs, 1 blanket, 1 tumpline, 1 pr stockings, 1 shurt, 1 piller case; Gilbert Castwell, 1 blanket, 1 coat, 1 pr stockings, 1 shurt, 1 piller case; David Cross, 1 blanket, 1 shurt, 1 coat, 1 jacut, 1 pr trouses, 1 pr stockings, 1 tumpline; Cornelius Warren, 1 blanket, 1 piller-case, 1 shurt, 1 pr trouses. 1 Rasher; Samuel Marcy, 1 blanket, 1 pr stockings, Samuel Bur, 1 blanket, 1 pr of Lether Briches, 1 gun, 1 tumpline, 1 pr stockings, 1 piller case; Isac Read, 1 gun, 1 coat, 1 Blanket, 1 shurt, 1 pr stockings, 1 piller case, 1 tumpline, 1 pr Briches; *Jesse Knot?* 1 Blanket; John Cross, 1 shurt, 1 snapsack, 1 tumplin, 2 pr stockings; Joseph Powars, 1 pr trouses, 1 pr stockings, 1 piller case, 1 tumpline; John Pulsepher, 1 piller case, 1 blanket, 2 shurts, 1 good pr. briches, 1 pr trouses; Timothy Clark, 1 grate coat, 1 tite coat, 1 good shirt, 1 good Drum, 1 tumpline; John Barrett, 2 pr stockings, 2 shurts, 1 pr lether Briches, 1 pr shous, 1 pr white briches, 1 white shurt; Phillip Huntoon, 1 grate coat, 1 Blanket, 2 shurts, 2 pr stockings, 1 piller, 1 tumpline, 1 pr shous; Edward Kies, 2 good shurts, 1 pr shous, 1 grate coat, 1 pr stockings; John Calkins, 1 shurt, 1 tumpline.

JOHN MARCY, Capt.

To Nicholas Gilman, Esq[r] Receiver General of the Colony of New Hampshire — Sir — Please to pay to Jacob Abbot the bearer hereof the sums Due to Jonathan Gray of Wilton who was in the Continental Army in Capt. William Walkers Comp[y] and Col° James Reed's Regiment, Due to the said Jonathan Gray for what he Lost in the Engagement at Bunker's hill; also for a coat given as a Bounty. Reference to Capt. Walker's Return being had the said Jonathan being since dead, the care thereof falls upon the subscriber being the Father of the Dec'd. Your complyance will greatly oblige your humble Servant.

TIMOTHY GRAY.

Wilton, March y[e] 4, 1776.

1776, Mar. 19. Rec[d] of Timothy Walker, jun. Four dollars for a Regimental coat for the within named Jona. Gray, also Two pounds L. my. for the loss which s[d] Gray sustained at the battle of Bunker Hill, June, 1775.

JACOB ABBOT.

Elisha Gustin, one shirt, 2 p. stockens, 1 snapsack & tum lines, 1 hankerchif, 1 jactcot, one pr. of trowsers.

Milford, Oct. 4, 1775. Then Elisha Gustin personally appeared and made solemn oath to the above account.

Milford, Oct[r] 5, 1775. Rec[d] of Ichabod Rollins, twenty-nine shillings L. money in full for my loss at Bunker Hill. Rec[d] by

Elisha Gustin.

Haverhill, Sept. 7th 1775.

The following is what I lost in the Fight at bunker Hill in June last:

One saddle & Bridle worth one pound ten, one pr. lining Brichis worth seven shilling, three pr. worsted stockings worth five shillings a pr. fifteen shillings, one half—? worth forty eight shillings.

	£1: 10: 0
	0: 7: 0
	0: 15: 0
	2: 8: 0
ABNER BAKER.	£5: 0: 0

To the Committee of Safety or the Committee of Supplys for y^e^ Colony of New Hampshire: pay to Israel Morey five pounds Lawful money, for what I lost in y^e^ fight at Bunker hill June last.

ABNER BAKER.

Sept. 7th 1775.

Westmoreland, December 25, 1776.

S^r^—

Pleas to send by Mr. Ebenezer Brittin the money that is my due for things that I lost at Bunker Hill Fight, and you will oblige yours, &c.

GEORGE ALDRICH, Ens^n^.

Capt. Hinds Com^y^ Col. Read's Regem^t^

The Hon^bl^ Timothy Walker, Esq.

Marster Taylor — pleas to Let Benjamin Couch have a Coat Lost on Boonker hill Fight & I will setil with the Comity of Supplys.

H. HUTCHINS, Capt.

Losses of Maj. Andrew McClary.

[Copied from MS. State Pap. Rev^n^, Vol. II., p. 101.]

To the Hon'ble Congress now Sitting at Exeter for the Colony of New Hamps'r

An acc^t^ of sundry losses sustain'd by Major Andrew McClary, in a Battle fought Between the regular Troops and the American forces on Charles-Town Neck on the 17th of June last past, and sundry other services done toward his Burying.

To one new Bridle lost on said day,	£0: 8: 0
To one pair Silver knee-buckles lost,	0: 8: 0
To one pair stone sleeve-buttons,	0: 8: 0
To Horse-keeping six weeks at Colon^l^ Royall's, at six shillings per week	1: 16: 0
To a Coffin for the deceas'd	1: 0: 0
To digging a grave for do.	0: 6: 0
To 1 pair Pistols lost in the Engagem^t^	2: 8: 0
To 1 large Powder-Horn shott to pieces	0: 8: 0
To 1 pair of Holdsters lost in Battle	1: 16: 0
	£8: 18: 0
To Cash advanced John Casey at Haverhill to buy Necessarys with, for the use of the Companys that were on their march then towards Lexington	1: 10: 0
	£10: 8: 0

John Kennedy's Order.

[Copied from MS. State Pap., Vol. II., p. 77.]

Montound ? September the 5th, 1775.

I the Scriber for valy reseaved Do promos to pay unto Seba Beebe the sum of three pounds Lawful mony of the Bay upon Demand with the Laful interest till paid as witness my hand.

JOHN KANEDY.

Monteound ? September the 5, 1775.

Isral Mory — Sur Be pleas to pay unto Seba Beebe the sum of three pounds Laful mony of the Bay and you will oblige your frind John Canady this mony is that part of the wages which is a coming to me and if any other man should be appointed to pay the said mony to the sogers I doe say that the said Beebe shall Draw the mony of the pay marster Let him be hoe he will as witnes my hand.

JOHN KANEDY.

If this order is paid by the pay marster the above note is avoid.

Guns lost at Bunker Hill June 17, 1775, *with their estimated value.*

[Copied from Revy Papers in Secys office, p. 119.]

Capt. H. Dearborn's Comp'y.

Mark Whidden,	1 gun,	£3 :	0 :	0
James Runnels	1 do	3 :	0 :	0
David Mudget,	1 do	1 :	19 ;	0
Andrew McGaffey	1 do	2 :	8 :	0
Jno. Bickford	1 do	1 :	19 :	0
Neal McGaffey	1 do	2 :	5 ;	0
		14 :	11 :	0

Capt. Dan'l Moore's Comp'y.

Capt. Dan'l Moore	1 gun,	£1 :	14 :	0
Nathl Moulton	1 do	2 :	5 :	0
Nathan Holt	1 do	2 :	2 :	0
Paul Blake	1 do	2 :	8 :	0
Enslow Brown	1 pistol		15 :	
Josiah Allen	1 gun	2 :	2 :	0
Jacob Sinclair	1 do		8 :	6
Benja Norris	1 do	2 :	2 :	0
James Robinson	1 do	2 :	14 :	0
		£16 :	10 :	6

Capt. Abbot's Comp'y.

Wm. Mitchell	1 gun,	£2 :	4 :	0
Abial Chandler	do	2 :	8 :	0

Capt. Gordon Hutchin's Comp'y.

Daniel Livermore,	1 gun	£3 :	0 :	0
George Shannon	1 do	2 :	8 :	0
		£5 :	8 :	0

Capt. Kinsman's Company.

Abraham Kimball,	1 gun,	2 :	8 :	0
Jno. Manuel	1 do	2 :	8 :	0
		4 :	16 :	0

Capt. Woodbury's.

Jno. Simpson,	1 gun,	1 :	10 :	0
Ephr Kile	1 gun & bayonet	2 :	2 :	0
Moses Poor	1 gun	3 :	0 :	0
Thos. Collins	1 gun (kill'd)	2 :	8 :	0
Seth Cutter,	1 gun	2 :	2 :	0

Capt. Richards.

Caleb Dalton,	1 gun,	3 :	0 :	0

Capt. McLaughlin's

Sam'l Smith,	1 gun,	2 :	5 :	0
Jno Cyphers	1 do	2 :	8 :	0
Jno Patten,	1 do	3 :	0 :	0
Lieut. Hutchins	1 do	3 :	0 :	0
Henry Glover	1 do	2 :	8 :	0

Capt. Hezekiah Hutchins.

Simon Merril	1 gun	2 :	8 :	0
Jno Vernum	1 do	1 :	16 :	0
Parker Hills	1 do	2 :	2 :	0
Nathl Leavit	1 do	2 :	2	
Saml Morrel	1 do	2 :	2	
Moses Quimby	1 do	2 :	2	

Capt. Hind's Comp'y.

Capt. Hind's		1	1	4
Sam'l How,	1 pistol	0	12	0
Lemuel Wentworth	1 gun,	2	2	
Lewis Acor	1 do	1	10	
Jno Daws	1 do	2	2	

Capt. Spaulding's.

Jno Osgood	1 gun,	2	2	
Sam'l Currier	1 do	3		
Isaac Stearns	1 do	1	8	
Ephr'm Rolf	1 do	3		
Ephr How	1 do	1	8	

Capt. Ezra Town's.

Sam'l Soper	1 gun	1	0	
Jona Stevens	1 do	1	16	
David Elliot	1 do	1	4	
Tho's Patterson	1 do	2	0	
Peter Brown	1 do	1	10	

Capt. Whitcomb's Comp'y.

Ens'n Carter,	1 gun,	2	10	0
Elisha Walton	1 do	2	8	0
Enoch Cummings	1 do	1	4	0
Edward Arnold,	1 do	2	0	0
Pearson Newhall	1 do	2	8	0
Joshua Ellis	1 do	2	2	0
Andrew Butler	1 do	1	4	0

Capt. Wm. Walker's.

Francis Putnam,	1 gun	2	8	0
Jona Emerson	1 do	1	16	0
Philip A. Roby	1 do	2	2	0
Wm. Butterfield	1 do	1	4	0
Jonathan Harris	1 do	1	10	0
Archibald Gibson	1 do	1	16	0
Jason Russell	1 do	2	0	0
Asa Cram	1 do	2	8	0

Capt. Thomas' Comp'y.

Ezekiel Learnard	1 do	2	14	0
Simeon Ingalls	1 do	2	8	0
Ichabod Lovewell,	1 pistol	12s,	fife 3s	

Capt. Mann's Comp'y.

Capt. Mann		1	16	
Jno Buckston,	1 gun,	2	2	
Sam'l Scripture	1 do	1	10	
Elijah Avory	1 do	2	13	4
Sam'l Wright	1 do	1	16	
Sam'l Abbot	1 do	1	17	
Jos. Blood	1 do	2	8	
Eben Blood	1 do	2	2	

Capt. Crosby's Comp'y.

Capt. Crosby	1 pistol	0	13	4
Josiah Sawyer	1 gun	2	2	0
Eben'r Wakefield	1 do	2	2	0
Dan'l Kenny	1 do	1	10	
Jno. Cole	1 do	2	2	

Capt. Marcy's Comp'y.

Capt. Marcy	1 gun	3	0	0
Amos Flood	1 do	1	8	0
Sam'l Burr	1 do	2	2	0
Isaac Johnson	1 do	2	8	0
Edward Keys	1 do	3	0	0
Jos. Farwell	1 do	1	16	0
Isaac Farwell	1 bayonet		6	
Timothy Clark, a Drum.				

Capt. Hale's Comp'y.

Sam'l Bradford,	1 gun	1	16	0

Capt. Reid's Comp'y.

Martin Montgomery	1 gun	2	2	0
cartridge box			4	8

Samuel Gilman, a Drum lost at Winter Hill, 30*s*, p'd March, 1778.

Indorsed, "Guns lost at Bunker hill, June 17, 1775."
"Receipts for Guns lost at Bunker Hill."

Memorandum of men's Names belonging to Portsmouth who Enlisted with Capt. Rich'd Shortridge June 18*th* 1775.

[Copied from Rev^{y} Pap. p. 283.]

Capt Rich'd Shortridge	£0	8	0	Richard Nelson	0	3	0
Lieut Zach's Beal	0	4	0	Elisha Gunnison	0	3	0
2d do Nath'l Thwying	0	3	0	Thomas Trickey	0	3	0
John Hunking	0	3	0	Benja Newmarch	0	3	0
Thomas Chandler	0	3	0	John Hutchings	0	3	0
Benja. Dame	0	3	0	Mark Broughton	0	3	0
John Dennet	0	3	0	Joseph Gerrish	0	3	0
Ebenezer Stackpole	0	3	0	Jonathan Huntress	0	3	0
Wm. Knight	0	3	0	William Gunnison	0	3	0

Sam'l Davis	0: 3: 0	Lazerus Holmes	0: 3: 0
John Grace	0: 3: 0	Joseph Mace	0: 3: 0
John Lewis	0: 3: 0	Thomas Ayers	0: 3: 0
Stephen Lang	0: 3: 0	John King	0: 3: 0
Christopher Gardener	0: 3: 0	Thomas Waters	0: 3: 0
John Oakes	0: 3: 0	Thomas Middleton	0: 3: 0
Cyprian Southack	0: 3: 0	Joseph Nelson	0: 3: 0
Samuel Smith	0: 3: 0		
Levi Ayers	0: 3: 0		6: 0: 0
Sam'l Broughton	0: 3: 0	Deduct for 2 officers	12
Benja Truesdel	0: 3: 0		
Sam'l Shortridge	0: 3: 0		5: 8: 0
John Clark	0: 3: 0		

We hereby certify that the above List is Just & true.

JOSEPH SIMES
WILLIAM LANGDON
JOHN FURNALL
} Selectmen of Portsmouth.

NOTE BY THE EDITOR.

Besides the foregoing from New Hampshire who sustained losses in the battle of Bunker Hill, it is well known that there were others who were wholly or in part enrolled in Companies in Massachusetts, and of whom no returns were made to New Hampshire officers or to the Committee of Safety. For the following very interesting account of a Company from Hollis, Capt. Reuben Dow, in the Massachusetts Regiment, commanded by Col. Wm. Prescott, the editor is indebted to Samuel T. Worcester, Esq., of Nashua.

Hollis at the battle of Bunker Hill.

At the Census of the Town of Hollis taken in September, 1775, the whole population of the town was found to be 1255. Upon an original Roll of the Hollis Militia Company now in my possession, in the handwriting of the Town Clerk of Hollis for the year 1775, and bearing date January 16, of that year, the number of names, including officers, then upon the roll, was 225. This roll is supposed to have embraced all able-bodied youth and men liable to do military duty, between the ages of 16 and 60. Of this Company Joshua Wright was Captain, Reuben Dow, Lieutenant, and Noah Worcester, (1) Ensign.

Besides this Company there was also an another organization known as the "Alarm List," containing on its Roll, bearing the same date as the above, and in the same handwriting, 120 names, including those of their minister, (Rev. Daniel Emerson) their school-master (William Cummings) and five deacons.

The alarm occasioned by the British troops crossing Charles river on the 18th of April 1775, reached Hollis a distance of 42 miles, by Express, very early in the morning of the 19th, the day of the battle of Lexington. In the afternoon or evening of that day, 94 of the Hollis men marched for Lexington and Cambridge. This Company consisted of the Hollis minute-men, of which Reuben Dow was Captain, John Goss, Lieutenant, and John Cumings, Ensign. Near one-half of this company returned home to Hollis, a few days after the Lexington battle; the residue remained at Cambridge and enlisted into a company with the same officers. Capt. Dow received his Commission

(1) This Noah Worcester was afterwards minister of the Congregational Church in Thornton, N. H., author of "Bible News," a writer of many articles on Peace, and distinguished for his talents and literary ability.—ED.

as Captain from General Joseph Warren, as President, pro tempore, of the Massachusetts Provincial Congress then sitting at Watertown. This original Commission, bearing the signature of General Warren, is now in my possession, bearing date May 19, 1775.

At a special meeting of the people of Hollis held on the 28th of April, 1775, of which Col. John Hale was the moderator, the following resolution was adopted without any recorded dissent.

"Voted, That we will pay two commissioned officers, four non-commissioned officers, and thirty-four rank & file, making in the whole 40 good "and able men to join the army in Cambridge, paying the said officers & "men the same wages which the Massachusetts receive; and will also victual "the same until such time as the Resolution of the General Court or the "Congress of the Province of New Hampshire, shall be known, respecting "the raising a standing army the ensuing summer."

The event showed that the people of Hollis furnished many more men for the cause than contemplated in the above resolution. Capt. Dow's company consisted of 59 men including officers, and was mustered into the Massachusetts Regiment, commanded by Col. William Prescott of Pepperell, a town in Massachusetts adjoining Hollis. Col. P. lived on the north side of Pepperell, and Capt. Dow and Lieut. Goss on the south side of Hollis, and the three men, neighbours and friends — which is probably the reason why the Hollis Company was mustered into a Massachusetts regiment.

Captain Dow's company marched on to Bunker Hill on the night of the 16th of June with the regiment of Col. Prescott, and helped build the Redoubt, worked all night without sleep and shared in the battle of the next day, June 17. Of this Company six men were killed on the battle field, viz., Nathan Blood, Phineas Nevins, Thomas Wheat, Peter Poor, Isaac Hobart and Jacob Boynton. Caleb Eastman, another member of the Company, was killed on the 19th of June by the accidental bursting of a gun. Two others of this Company, viz., Jeremiah Shattuck and James Fisk, died of disease, on the 29th of May previous to the battle, making the loss of the Hollis company, nine in all, of whom four, viz., Blood, Wheat, Shattuck and Fisk left families.

Besides the Company of Capt. Dow, there were in another company in Col. Prescott's regiment four men from Hollis, whose names were Samuel Conray, Samuel Wright, Thomas Colburn and Ebenezer Youngman. These four men as appears from an original company Roll now in the office of the Secretary of State at Boston, belonged to the company of Capt. Joseph Mann of Groton. From a Return of Capt. Mann's company made after the battle, "Ebenezer Youngman and Thomas Colburn of Hollis" are returned as killed in the battle of the 17th of June, making the loss of Hollis in that battle eight men killed, besides a large number in wounded, including the brave Capt. Dow who was made a cripple for life.

The original Rolls of the companies of Col. Prescott's regiment, now in the office of the Secretary of State at Boston, show that a large number of New Hampshire soldiers, besides those from Hollis, enlisted in that Regiment. Among the towns so represented, are Londonderry, Chester, Amherst, Merrimac, Raby (now Brookline) Dunstable and others. There were two small New Hampshire regiments in the battle of Bunker Hill consisting almost wholly of New Hampshire men; the one under the command of Col. Stark, and the other under that of Col. Reed. Neither of these Regiments was in or helped build the Redoubt, but were marched upon the battle ground on the morning of the battle. It appears from a Return of the killed & wounded of these two regiments, made by Col. Stark two days after the battle, to Matthew Thornton, that the number of killed in his Regiment was 15, and in that of Col. Reed, 3 killed and one missing. Thus it appears that the loss of the town of Hollis in killed in the battle of Bunker Hill was more than half the loss in killed of the entire regiment of Col. Stark, and more than twice that of the regiment of Col. Reed. And yet, so far as I am aware, no history of the battle of Bunker Hill yet written, gives the State of New

Hampshire credit for the Hollis Company, and men in Col. Prescott's regiment, or for the other New Hampshire men in the same regiment, but all alike are put down to the credit of Massachusetts.

Besides the Hollis company and men in Capt. Mann's, there were at the same time, as appears from the Hollis town records, 8 "eight months' men," in a company commanded by Capt. Levi Spalding of Nottingham, in the regiment of Col. Reed, and 7 in the company of Capt. Towne, supposed to have been in the same regiment and in the battle, making in all, including the company of Capt. Dow, 78 men, furnished by the little town of Hollis, or very nearly one in sixteen of its whole population.

Losses of Hollis men in the battle of Bunker Hill.

Cambridge, December y^e^ 22^d^, 1775.

This may certify that we the Subscribers in Capt. Reuben Dow's Company in Col. Wm. Prescott's Reg^t^ in the Continental Army, that we lost the following Articles in the late engagement on Bunker's Hill at Charlestown on y^e^ 17^th^ of June last.

James McConnor, 1 gun, 1 napsack, 1hat, 1 Jaccat, 1 tumpline.
Wm. Nevins, 1 knapsack, 1 jacket, 1 tumpline.
Minott Farmer, 1 knapsack, 1 sword, 1 tumpline.
Sam^l^ Hill, 1 knapsack, 1 tumpline.
Ephraim Blood, 1 gun, 1 knapsack, 1 tumpline.
James Macintosh, 1 knapsack, 1 jacket, 1 tumpline.
Libbeus Wheeler, 1 knapsack, 1 hat, 1 tumpline.
David Farnsworth, 1 knapsack, 1 tumpline.
Noah Worcester, 1 knapsack, 1 tumpline.
Elias Boynton, 1 gun.
Francis Blood, 1 knapsack, 1 tumpline.
Abel Brown, 1 gun, 1 cartridge box, 1 tumpline.
Nahum Powers, 1 knapsack, 1hat, 1 jacket, 1 bayonet, 1 tumpline.
Isaac Stearns, 1 gun, 1 knapsack.
Israel Kenney, 1 knapsack, 1 tumpline.
Thos^s^ Pratt, 1 gun, 1 knapsack, 1 tumpline.
Nath^l^ Patten, 1 knapsack, 1 jacket, 1 tumpline.
David Ames, 1 knapsack, 1 cartridge box, 1 tumpline.
Sam^l^ Jewett, 1 knapsack, 1 tumpline.
Wm. Wood, 1 gun, 1 knapsack, 1 tumpline.
Benj^a^ Cumings, 1 knapsack, 1 tumpline.
Francis Powers, 1 gun, 1 bayonet.
Wm. Adams, 1 knapsack.
Josiah Fisk, 1 knapsack, 1 cartridge box, 1 tumpline.
Wilder Chamberlin, 1 knapsack.
Nehemiah Pierce, 1 knapsack, 1 hat, 1 tumpline.
Abel Conant, 1 knapsack, 1 tumpline.
Uriah Wright, 1 knapsack, 1 tumpline. (1)

(1) The estimated value of the above said articles, was (on an average) for a gun, £2: 4: 0; a knapsack, 0: 1: 6; a jacket, 0: 16: 0; a cartridge box, 0: 4: 8; a tumpline, 0: 1: 6, &c.

"Tumpline" — A strap placed across the forehead to assist a man in carrying a pack on his back.— *Web. Dic.*

Men's Names.	Age.	When enlisted.	Residence.	Stature	Complexion	Dead or Wounded.
James McConnor	31	April 23.	Hollis	5 ft. 7	light	
William Ellot	20	Do.	Do.	5 " 7	light	
Francis Powers	33	Do.	Do.	5 " 6	light	wounded
William Wood	23	Do.	Do.	5 " 6	light	wounded
Ebenezer Townsend	22	Do.	Do.	5 " 10	light	
Ezekiel Proctor	40	Do.	Do.	5 " 6	dark	
Sampson Powers	26	Do.	Do.	5 " 6	light	
Phinephas Nevins	17	Do.	Do.	5 " 6	light	dead
William Adams	20	Do.	Do.	5 " 5	light	
Libeous Wheeler	23	Do.	Do.	5 " 6	light	
Thomas Wheat	24	Do.	Do.	5 " 8	dark	dead
Isaac Stearns	38	Do.	Do.	5 " 5	light	
Peter Poor	21	Do.	Do.	5 " 5	light	dead
Ephraim Blood	37	Do.	Do.	5 " 11	light	wounded
Nehemiah Peirse	20	Do.	Do.	5 " 7	light	
Jonathan Powers	72	Do.	Do.	5 " 9	light	
Nathaniel Pattin	41	Do.	Do.	5 " 6	dark	
Jacob Spaulding	20	Do.	Do.	5 " 4	light	
Peter Cumings	13	Do.	Do.	5 " 0	light	
Evan [or Eban] Dow	21	Do.	Do.	5 " 6	light	[dent.
Caleb Eastman	22	Do.	Do.	5 " 8	dark	dead by acci-
Isaac Hobart	19	Do.	Do.	5 " 6	light	dead
James McIntosh	30	Do.	Raby.	5 " 6	light	
Amos Taylor	27	Do.	Hollis	5 " 8	light	[ness
James Fisk	37	Do.	Do.	5 " 9	dark	dead by sick-
Jeremiah Shattuck	20	Do.	Do.	5 " 10	dark	dead by sick-
Jacob Boynton	19	Do.	Do.	5 " 9	dark	dead [ness
Jacob Read	48	Do.	Do.	5 " 10	dark	
Nahum Powers	35	Do.	Plymouth	5 " 9	dark	
Moses Thurston	48	July 15	Hollis	5 " 6	light	
Sam'l Horsley	23	April 23	Do.	5 " 7	light	
John Platts	27	Do.	Do.	5 " 9	light	
Minot Farnum	25	Do.	Do.	5 " 8	light	(Serg't.)

To the Committee of Supplies for the Colne of New hampshire.

[Copied from Rev^{y} Pap., p. 307.]

These are to inform you of the number of Guns with y^{e} Valuation Prised by us the Subscribers & also of Blankets which we sent to Supply the Soldiers that went into the Sarvice of the Continental Army and Sarved in Coll^{n} John Stark's Rigiment and Capt. Thomas M'glathlon [McLaughlin] Company with the Names of the Soldiers that receivid the Guns & Blankats as we Expect Six Shillin for the Use of Each Gun if returned and pay for the Blankets as Prised with six Shilings for the use of Each Gun & pay for the Blankets We Would Be Glead if you would pay to the Bearer hear of Capt. Caleb Page the Soldiers Names With the Valuation of Blankets and use of the Guns in one Collom.

Robert Hogg one Gun lost in the Sarvis valued	£1: 16
Solomon Hutchinson one Gun Valued 2£ 14s use	£0: 6
James Farson one Blanket Value	0: 12: 0
Jonathan Smith one Gun Value 1£ 16s & one Blanket Valued 12s With the use of the Gun is	0: 18: 0
James Gleading one Blanket Value	0: 12: 0
Edmond Davise one Blanket Valued	0: 10: 0
Joshawe Geage one Blankett Value	0: 10: 0
Thomas huse one Gun Valued 1£ 16s Use	0: 6: 0
in all	3: 16: 0

Dated Decmber y^{e} 22 1775.

John Hogg } Selectmen for
Robert Hogg, } Dunbarton.

[*Journal resumed from page* 585.]

Voted — Whereas it is evident that many Ill consequences have followed upon so large a use of spirituous Liquors as has been commonly practiced upon the Publication of Commissions & other Military occasions, some persons drinking to excess, which leads to Confusion & Disturbance & greatly tends to Frustrate the proper end & Design of such Military regulations and Movements, viz. the Improvement of the soldiers in the use of Arms, It being the Duty and Interest of a People to avoid Extravagance and dissipation at all times, and Especially at such a day as this When we are under the awful rebukes of Providence, [P. 108.] and the burden of Publick charges must Necessarily be very great; This Congress have tho't themselves in Duty bound earnestly to recommend it to the soldiers That they will not expect nor Desire such Large & Extravagant Treats as have been (we cannot but say too much) used heretofore, Nothing Doubting but all that are Friends to virtue and Frugality, and have a generous regard to the welfare of their country, will be pleased & gratify'd with a retrenchment of all Extravagance in this way; and therefore we earnestly recommend it to all officers in the Militia whether of higher or lower rank to forbear all Extravagance & Practice a laudable Moderation & Economy in this way— And particularly we recommend that at the Meetings of the soldiers to choose their respective officers, there by no means be any Treats given or receiv'd if offered, Antecedent to such choice, all which we think is agreeable to the advice of the Hon^ble^ Continental Congress.

Aug^st^ 31^st^.

Voted, That the towns of Cardigan(1), Grafton, Protectworth(2) & Saville (3) be and hereby are annexed to and made a Part of the Regiment under the command of Col^o^ Jonathan Chase.

Voted, That Mr. Sparhawk and Major Hubbart be added to the Committee for drawing up Instructions for our Delegates to the Continental Congress.

Voted, (upon a motion of Col^o^ March) That the vote of the 24^th^ Instant appointing William Whipple Esq^r^ Colonel of the first Regiment of Militia in this Colony be reconsidered.

Voted, That Capt. William Whipple be and hereby is appointed Colonel of the First Regiment of Militia in this Colony.

[P. 109.] Voted, That Benjamin Barker be appointed First

(1) Orange, (2) Springfield, and (3) Wendell.—Ed.

Major of the First Regiment of Militia in this Colony & Ephraim Pickering Second Major.

Voted, That John Giddinge Esq^r the late Treasurer of the Congress have the Loan of Twenty Nine pounds Eighteen shillings & Ten Pence L my. to be Deliver'd him by the Receiver General out of the Publick Treasury to be accounted for by said Giddinge.

The Committee appointed to prepare a Plan for the future Representation of this Colony, made report — as on file —

Voted, That it Lay for consideration.

[NOTE.— The following paper, though without date, appears to be the report referred to. See MS. State Papers, Vol. II., p. 349.—ED.]

The Com^tee to prepare a plan for Representation in future for this Colony, beg leave to present the following, viz:

That every Town or Parish consisting of 100 Families Inhabitants of Freehold, shall have the Liberty to send one member to Represent them — saving such old Towns or Parishes as have not the N^r aforesaid, who have heretofore sent a member to the Assembly, such old Towns or Parishes shall still have the Liberty to send as usual.

That each Town or Parish consisting of 200 Inhabitants or Familys as afores^d may have the liberty of send^g 2 members each, & no more, except Portsm^o, & they not to send more than 3.

That any Town or Parish, that have not 100 Inhabitants of Freehold, each Town & Parish in that case, shall have the liberty of joining as many as will make up the 100 Inhabitants as afores^d, as they can agree & Elect one person to Represent them.

That every Freeholder, being an Inhabitant shall have the liberty of Voting in the choice of Representatives.

That every person elected shall have a Real Estate in the Colony worth £200: The meeting to be Regulated by the Moderator & Selectmen — saving an appeal to the Congress.

That each Member be paid by the Town or Towns they respectively Represent in proportion as they pay s^d Tax, for their atttend^a: their Travail to be paid out of the Publick Treasury.

That any person having a Real Estate of the Value of £20 in any Town or Parish where they meet for the choice of Representatives, shall have the Liberty of Voting in such choice — although he be not an Inhabitant in s^d Town or Parish at the time of such Election.

Sept. 1st

Whereas there is great complaint made of the gross Violation of the Association formed by the Hon^ble Continental Congress, by Merchants and Traders (both in Town & Country) selling English goods, at a much higher price than has been usual in the year last past, and that even Tea is sold by some one person at least; and that the Committees of Inspection being some of them Traders in such Goods themselves, or in connection with those that are, have not in every case & upon every occasion Taken due

care & pains to Prevent & remedy such an Unreasonable Practice, Therefore

Resolved by this Congress, That any person or persons selling or offering to sale any English Goods at an Extravagant price, or any Tea, contrary to the Express Tenor of the Continental Association, and not Dealt with by the Committee of such Town or place where he or they belong (such Comittee being notified thereof & refusing) may be cited before the Committee of any Neighboring Town within Ten Miles, to answer any complaints of this kind properly exhibited before such Committee, and upon refusal to appear or sufficient Proof made of the Complaint so exhibited, and no sufficient satisfaction given, that such extravagant sale of such goods as aforesaid shall be Discontinued, such person or Persons to be published to the world as Enimical to their country, that all persons note them and avoid all commercial Intercourse with them according to the advice of the Continental Congress.

[P. 110.] Whereas this Congress on the 25th of August last, by their vote Directed George Jaffrey, Esq^r late Treasurer of this Colony to lay his Treasury Accounts before this Congress in order for settlement on Tuesday then next, which time is now past, and the said (late) Treasurers' not appearing, nor writing to this Congress to give any reason for his not appearing is very unsatisfactory, and something offered by Noah Emery Esq^r. in Excuse for his Non-Appearance, not having sufficient weight in the opinion of this Body —

Therefore it is now once more Voted & Resolved That said George Jaffrey Esq^r be directed to lay his said account before this Congress for their Inspection & settlement on the second day of their sitting next after the first day of October next.

Upon considering the Representation of the Committee of Safety of Portsmouth relating to sundry persons committing an outrage or Assault on the Property of one Mr. Woodward —

Voted That the Committees of Safety of Portsmouth be Desired to require of the Delinquents Bonds with Sureties in sufficient sum for their appearance to answer to said Woodward's Complaint at some future time, before said Committee, and upon their refusal to commit them to Goal :— and that said Committee be Desired to take particular care to hinder Gaming, agreeable to the recommendation of the Continental Congress.

Voted, that Four Regiments of Minute men be raised, to be Enlisted out of the several Regiments of Militia in this Colony, viz. The first to be Enlisted out of the four Regiments commanded by Col° Whipple, Col° Evans, Col° Moulton and Col° Gilman; The second to be Enlisted out of the several Regiments of Col° Bartlett, that lately Col° Thornton's, that lately Col° Lutwyche's and that lately Col° Kidder's; The third to be Enlisted out of the several Regiments commanded by Col° Moore, Col° [P. 111.] Stickney, Col° Badger & Col° Hobart; and the Fourth to

be Enlisted out of the several Regiments commanded by Col^o Ashley, Col^o Bellows, Col^o Chase and Col^o Morey.

Voted, Joshua Wingate to be first Colonel of the first Regiment of Minute men, Jonathan Burnam to be Lieut. Colonel. James Hackett to be first Major and George Gains to be second Major.

Voted, Samuel Hobart, Esq^r to be first Colonel of the second Regiment of Minute men, Robert Moore to be Lieut Colonel. Samuel Philbrick to be first Major and Timothy Farrar to be Second Major.

Voted, Timothy Walker jun^r to be first Colonel of the third regiment of Minute men, Samuel Connor to be Lieut. Colonel, Daniel Sanborn Esq^r first Major and Benjamin Goold second Major.

Voted, Samuel Stevens Esq^r to be first Colonel of the Fourth Regiment of Minute men, Thomas Gilbert to be Lieut. Colonel. John Griswold to be first Major and Elisha Whitcomb second Major.

Voted, That Col^o Samuel Hobart, John Dudley Esq^r. Mr. Moses Dow, Tho^s Sparhawk Esq^r Jonathan Lovewell Esq. Benjamin Giles Esq & Col^o Timothy Walker be a Committee to bring in a vote for settling & regulating the Minute-men as to their Enlistment, Equipment & Encouragement, and as to Commissioning them & giving other orders concerning them.

Sept^r 2^d.

Voted, That the Report of the aforesaid Committee be received & accepted, as follows: viz. That the Field Officers of each Regiment of minute-men give out Enlisting orders to as many men as is necessary for officers in their respective Regiments (endeavoring to proportion them among the several Towns as near as may be) and that they have liberty to Enlist one fourth or Quarter part out of each Company of Militia; — that great care be taken that said orders be given out to good men, well-disposed in the Cause of this Country,— That each soldier Enlisted as aforesaid Furnish himself with arms &c. agreeable to the recommendation of the [P. 112.] Continental Congress :— That every Soldier Enlisted as aforesaid shall meet at some convenient place in their own Town According to the order of the Commanding officer one half day in every Fortnight to acquaint themselves with the Art Military. and Every person so enlisted, when called to actual Duty (excepting the aforesaid half-days) shall be allowed the same wages per month as are allowed for those already in service in the Continental Army: Said soldiers to continue in the service till Further orders of the Congress.

Voted, That Ezekiel Gummer the Doorkeeper to the Two late houses of Assembly be paid by the Receiver General out of the Public Treasury Three shillings per day for his attendance on the said Assemblys, by certificate from the Clerk of said Assemblys.

Voted, That there be Raised, Levyed & Paid by the Inhabitants of this Colony in the same Proportion as was last used in Proportioning the Tax of this Colony, the Sum of four thousand Pounds L. m'y (instead of the three thousand Voted by this Congress in May last) and paid unto Nicholas Gilman Esq^r of Exeter, to Treasurer of this Colony, or to the Treasurer or Receiver Gen^l of this Colony for the time being, by the first day of February next, and That the said Treasurer Issue his Warrants for assessing the same, to the Selectmen of each Town in this Colony, and where there are no Selectmen, That the Inhabitants of such Town or place receive the said Warrant and Imediately assemble and choose selectmen and other necessary officers for the purpose aforesaid.

Voted, That the Committee of Safety assist the Receiver General in forming Warrants for Assessing & Levying the Colony Tax for this year.

Voted, That the Committee of Safety be Impowered to give a form of Enlistment of the minute men to the several Colonels of the regiments of Minute men. (1)

[P. 113.] Voted That the Company of Matrosses or Artillery men under the Command of Capt. Titus Salter be forthwith Mustered by Col^o Hobart, and that they be allow'd to draw their allowance of provisions according to the allowance of the Continental Army, and that Samuel Cutts Esq^r be Desired to Provide for them until further orders of this Congress or of the Committee of Safety.

Voted, That it be Recommended to the several Taverners and Retailers in this Colony to Render a true Account of, and Pay their Excise for the current year to the selectmen of their Respective Towns and places, And that the said Selectmen pay the same to the Receiver General for the time being, for the use of this Colony.

Voted, That this Congress be adjourned to Tuesday the last day of October next at three of the clock Afternoon to meet at this place, And that if any thing should happen in the mean time that the Committee of Safety shall think of sufficient importance, That they have Power to convene this Congress sooner.

(1) See Form of Enlistment, in Rec. of Com. of Safety, as printed in Vol. VII., Coll. of N. H. Hist. Soc., p. 21.— Ed.

CORRESPONDENCE.

[The following correspondence passed, with other public documents, between the time of adjournment, Sept. 2d, and the meeting of the Provincial Congress, Oct. 31st, 1775.—Ed.

Letter from the N. H. Delegates in the Continental Congress, to the N. H. Committee of Safety.

[Copied from MS. State Pap. Revn, Vol. II., p. 79.]

Winsor (1), 9th Septem. 1775.

Gent —

By a Gent just from New York informs us that a vessell had arrived there, the Capt. of which Informs, that there was great Disturbances in the City of London and many other places in England, concerning American affairs, which is much in our favor — inclosed is the Proceedings of the City of London, by which you'll see the Spirit of the People. We are also told that a quantity of Powder has arrived (within a few days) in this Colony. We shall make all Possible Dispatch to join the Congress. The Massachusetts members are but a few days before us,

We are with respect
Genl your most obedt servts

Josiah Bartlett,
John Langdon.

To the Comtee of Safety
Province N. Hampr.

Letter from Colo. Israel Morey to the Committee of Safety relating to Coll. Bedell, &c.

[Copied from MS. State Pap. Revn, Vol. II., p. 71.]

Orford, Septr 12th, 1775.

Gentlemen —

I have to inform you that Colo Bedell march'd with his Companys last Thursday, Fryday & Saturday, Excepting Twenty men belonging to Capt. Osgood which came to Orford last evening, and went off this morning in High spirits. I think a Number of very fine soldiers in each Company, Major Israel Curtis of Hanover rais'd a Company of Vollenteers in three Days and march'd on Sunday from Hanover, and this Day left Orford in company with Capt. Osgood. Its Expected that a Number more will soon follow the Example — A most noble spirit this—a Number of which from Dartmouth College. I have help'd fix them out & Hope the Comittee & Congress will think that I did what was Right tho' at my own Risk at present. The Major and men are to join the Army if wanted, but if not upon his Hook, and to return when not wanted. Lieut. Allen of the Green Mountain Boys Brot Express

(1) Probably Windsor, Ct., written while on their way to join the Continental Congress.—Ed.

orders from Col° Bedell to march immediately. I think he has acted himself much to his Honor in pushing the Companys forward. Mr. Allen has Inlisted a Company of about Forty Five Men nigh here, most of which March'd off with Col° Beedel, which Col° *Butte ?* supply'd with Meat, Bread &c. The occasion of Maj^r Curtis raising these men was by News from Gen^l Schuyler that He wanted Men, and that the Gen^l had mov'd off with his army and was sick with the Fever & Agers when he mov'd forward. Mr. Allen Informs us that Capt. Baker, one of the Captains of the Green Mountain Boys was killed by our Enemy — who was a Brave officer.

I think Gent^n its of much importance that the Commissions for the Regiments are forward by Mr. Porter the Post, as you must think that our Minute men should be in readiness as we don't know how the affair of our Army may turn gone against St. Johns, if our Army is defeated our Minute-men &c. most certainly will be wanted & as Mr. Porter comes Round by them that he can bring all the Commissions for the Four Regiments on Connecticut River & for the Minute-men, with Blanks for the Capts. &c.

I am, Gent^n, with respect,
Y^r Humb^l Serv^t

ISRAEL MOREY.

To the Hon^bl Comittee of Safety.

Letter from our Delegates in the Continental Congress relating to Col. Fenton.

[Copied from MS. State Pap. Rev^n, Vol. II., p. 83.]

Philadelphia, Septemb^r 20^th, 1775.

DEAR SIR —

Yesterday it was mov'd in Congress to discharge Col. Fenton from his confinement. It seems that he living at Hartford had an opportunity to see several of the members as they passed to & from the army & by his politeness & address and by telling how much he had suffer'd, had prejudic^d some of them that he had been hardly Dealt with by us; the Copy of a Letter from General Putnam was also produced, wherein he says, "That the Popu-"lace had seized him and carried him before the Congress of N. Hampshire, "and that after a full hearing they could not find that he had done any thing "against the Liberties of America in Word or Deed, but for fear that he "might, had ordered him to be confined." But as we knew the whole of that affair we convinced the Congress that our Convention had done right. The Congress then Passed a Resolve to this effect, "That whereas the Con-"vention of the Colony of New Hampshire had *prudently & justly* ordered "Col. John Fenton to be confined, and that he being now Desirous to Re-"move to Great Brittain or Ireland, therefore

"Resolved, That General Washington be Directed to allow Col. Fenton to "Repair forthwith to New York, and from thence to Great Brittain or Ire-"land, on his giving his Parole not to take up arms against America," which order your Delegates consented to, thinking it better than keeping him confined at the Publick Expense.

As to Publick news you will see it is in the Publick prints and we have no other that we can at present communicate. We should be glad to Receive from you all possible Intelligence of our affairs, and shall think it our Duty to write you often Even tho' it were only to tell you we have nothing new to inform you of.

We are your most obedient Humble serv^ts

JOSIAH BARTLETT,
JOHN LANGDON.

Matthew Thornton, Esq. Chairman of the Committee of Safety, N. Hampshire, to be communicated.

Gen. Sullivan to the Committee of Safety.

[Copied from MS. State Pap. Revⁿ, Vol. II., p. 87.]

Winter Hill Septemr 23d, 1775.

Much Respected Gentlemen —

I am sorry to inform you that your Troops from New Hampshire have more Reason to complain & actually do complain more than any other Troops in the army. General Washington gave it out in orders that all the Troops should be paid up to the Fourth of August; all the other Colonies have complied though not strictly obliged thereto by the original contract. & why New Hampshire should Refuse I can by no means conceive, as the men must be paid sooner or Later & as the money now Emitted is not on Interest it can make no Difference to the Province whether they are paid now or two months hence; but to the men the difference is very great, as their families are in immediate necessity and can by no means do without it. All the money you advance to make your Troops comfortable will be repaid by the Congress, & therefore can be no disadvantage to you. I wish you were acquainted with the Complaints & murmurings of your Troops. They have long been kept out of their Blankets and are now kept out of their coats. They have long been Exposed to the weather without coats or Blankets. The officers who bore their Expenses here have never received any pay. The Committee here seem to have been Employed the whole time in riding back & forth to bring small sums of money to pay part of the soldiers, to make the others mutinous & uneasy. This, Gentlemen, has been the case respecting those Troops, which I venture to pronounce the very best in the Army. Gentlemen, I am sure that there must have been a great defect somewhere: Where it is or to whom you will impute the iniquity time alone must Discover: it must be allowed that suffering the New Hampshire Troops to remain in so wretched a situation for such a length of time will never redound to the credit of the Colony or have the least Tendency to Enable us to Raise another Army after this is Disbanded, but the Reverse. I must therefore as a friend to the Continent in general & the Colony in particular beg & Intreat you to send some trusty person here with money sufficient to pay off the men in order to have them as comfortable as the nature of the service will admit & you will thereby much assist the common cause of America and particularly obledge, Gentlemen, your most obedt

Humble Servt,

Jnº Sullivan.

The Honble the Committee of Safety in New Hampshire.

Answer of the Committee of Safety to the foregoing letter of Gen. Sullivan.

[Copied from Am. Ar., 4 Ser., Vol. III., p. 827.]

Committee of Safety, September 28, 1775.

Sir — Yours of the 23d Instant we this moment received, and in Answer thereto, must observe we are equally sorry with you that the New Hampshire Troops complain, or have occasion for complaint. The cause we think is obvious. When our Congress raised their Troops, they promised them one month's pay, as soon as it could be emitted, and the remainder when they should be disbanded. The latter end of July last, a Sub-Committee from this waited on Genl Washington, to get information from him what was farther expected from the Colony, towards supplying and paying our Troops: who reported that the General told them he every day expected the appointment of a Commissary-General, and that as soon as that took place he should

take charge of the whole Army as Continental, and provide for and (as they understood him) pay their whole wages except the first month's, which this Colony had advanced. Upon which report, our Congress voted to emit such a sum of money as they judged sufficient to pay for supplying our Troops, and some other contingencies, until the Commissary-General took charge of them, and then adjourned to the last day of October next.

This Committee never had an idea that it would be expected from the Colony to pay the Troops any more wages, nor ever received the most distant hint of the kind from any person whomsoever, until General Washington lately made a requisition for the payment of one month's wages to those soldiers of this Colony who were going to Quebeck with Col. Arnold, who, by the way, would have peaceably accepted one month's pay, agreeable to the requisition, had it not been for your postcript to Ichabod Rollins, Esq. "that those who had not been paid up to the month of August ought to be paid immediately," which they saw, and utterly refused to proceed without being paid accordingly: whereby we were obliged to pay them two months' wages, instead of the one General Washington required.

Previous to this, we had sent two of this Committee to wait upon General Washington and to inquire into some matters relating to the Army, who report, "That when they arrived at the Camp, they were told General Washington had given it out in General Orders that the Troops should be paid by their respective Colonies up to August, and that our soldiers had been told they might daily expect this Colony to send the money for that purpose;" which surprised them very much, as it does all of us, that the soldiers should be made to expect what the Colony was ignorant of, and could not possibiy perform. They waited on General Washington and conversed with him on the subject. He informed them that Connecticut and one other State (which they supposed was Rhode Island) had desired him not to pay their Troops; and that General Sullivan had told him New Hampshire "could as well pay their Troops as not," which was the occasion of his giving said orders, at a time the military chest was almost empty, and the money long expected from Philadelphia was not arrived. That the Massachusetts Troops had, besides the month's pay advanced, received but one month's wages and that out of the Continental money.

As to the blankets, we always understood that there was only a few but were supplied long ago; and those few we supposed the officers (as there was a constant intercourse) had received from the Selectmen of their respective Towns, the way directed by our Congress.

Ichabod Rollins, Esq. one of our Committee of Supplies had orders, in July last, to provide a hundred coats for those persons who lost their clothes at Charlestown battle. And previous to the reception of yours, we had provided for the payment of their whole loss, which was as early as the circumstances of the Colony would admit of.

And now, Sir, upon this State of facts, which we aver to be just, we would ask where the "great defect" has been, and to whom the uneasiness of the Troops ought to be imputed; whether, as circumstances turned up, the Colony could have done more, unless they could have divined into the determinations and consequent expectations in and about the Camp. Certainly, if it became requisite for the Colony to have paid up their Troops to the 4th of August it was necessary they should have been notified thereof, in order that they might have made the provision needful, before the soldiers were encouraged to expect the immediate payment thereof.

However, we are zealous of doing everything in our power necessary for the good of our Troops, the Army, and the important cause in which we are engaged. But until a vote of Congress for striking off more money, we shall be unable to advance any for the payment of wages; we having scarcely enough to pay for the coats promised them, the loss at Bunker's Hill &c. which on Monday last we ordered to be paid, which, with a month's wages that General Washington assured our Committee he would pay as soon as he received the money from Philadelphia, which he daily expected, will answer

their present necessities until our Congress meets, the last of October next, and shall order money to be struck off, which we expect they then will, to settle the rolls to the 4th of August. And in the mean time we hope the officers of the several Regiments will endeavour to keep and maintain quiet and harmony in their respective corps, rather than raise difficulties themselves, and then instil them into their men.

In behalf of the Committee, I am, Sir,
Your humble servant,

MATTHEW THORNTON, chairman.

Honourable John Sullivan, Esq.

General Sullivan to Committee of Safety.

[Copied from MS. State Pap. Revn, Vol. III., p. 89.]

Winter Hill, Septembr 29th 1775.

Much Respected Gentlemen—

I Inclose you a Petition of the Field officers in your Regiments for Blank Commissions which if agreeable to you, you will please to send by the Bearer Lieut. Leavit, but if not I shall send you the names of those Recommended that you may fill up the vacancies as you think proper.

Gentlemen, I am, in extreme haste, with due respect,
yr most obedt servt

JNO SULLIVAN.

Honbl Committee of Safety
in New Hampr.

Petition of the Field Officers.

[Copied from Am. Ar., 4 Ser., Vol. III., p. 842.]

To the Honourable the Committee of Safety for the Province of New Hampshire:

We, the Field officers of the several New Hampshire Regiments stationed at Winter Hill beg leave to suggest, that among the New Hampshire as well as the other Forces, vacancies are frequently occurring; to fill up which we are obliged to take the method of applying to the Province for an appointment before we can have those vacancies filled up, which not only gives us great trouble, and creates expense, but sometimes leaves the Companies in some measure unofficered. To prevent which, as we have a Brigadier-General who we persuade ourselves will endeavour to put in such persons to fill those vacancies, as will be most agreeable to the Troops in general, we entreat that he may be supplied with a number of blank commissions for all officers under the degree of a Field officer, having particular regard to the sentiments of the officers in the Regiment where such an appointment is to be made, and your Petitioners will ever pray &c.

JOHN STARK, Col.
ENOCH POOR, Col.
JAMES REED, Col.
ISAAC WYMAN, Col.
ISRAEL GILMAN, Lt. Col.
JOHN MCDUFFEE, Lt. Col.
JOSEPH CILLEY, Major.

September 29, 1775.

New Hampshire Committee of Safety to Gen. Sullivan.

[Copied from Amer. Ar., 4 Ser., Vol. III., p. 1775.]

Exeter, October 10, 1775.

SIR.—We received yours of the 29th ultimo, enclosing a petition of the Field Officers to have blanks sent down for Commissions, to fill up vacancies &c; and if we were authorized by the Congress, would comply without delay. But this Committee were particularly instructed to make out Commissions for the Troops, and no liberty to delegate that power. We are sensible that the officers of the Army are more capable of judging of fit persons to be promoted to office than the Committee, who have not had the opportunity of knowing how they behaved in other stations. But as they are not authorized to do otherwise, must desire a list of the vacancies, with the time that they became vacant, and the names of those persons pitched upon to fill them, sent up; and the Committee will endeavor to send down Commissions as soon as possible.

Please to communicate this to the several New Hampshire Colonels.

Letter from our Delegates in Continental Congress to Matthew Thornton, Esq., on assuming Government, &c.

[Copied from MS. State Pap. Revn, Vol. II., p. 91.]

Philadelphia, 2d Octobr, 1775.

HON. MATTHEW THORNTON —

SIR — Agreeable to your desire that we should write, as often as may be, have taken this early opportunity, tho' little or nothing to communicate.

Before this comes to hand, doubtless, you'll receive letter from our President, desiring your attendance at Head Quarters, to consult with a Committee from this Congress, relative to the army. Doctr Franklin, Mr. Lynch and Colonel Harrison are the Committee.

We humbly beg leave to suggest whether it would not be good opportunity to mention the convuls'd state of our Colony and the absolute necessity of governmt and also to forward by them a Petition from our Convention, to take Government: we have consulted many of the members on the matter, and as soon as Colonel Bartlett is able to attend the house, which will be in a few days, (as he's almost well of the small-pox) shall motion for leave to take the same government as Massachusetts Bay.

You'll also give us leave to urge the forwarding of our Acct against the Continent immediately, otherwise there may not be money in the Continental Treasury, as great sums are dayly Drawing from thence: the Consequence of which will be, shall be obliged to wait for another emition.

There has been nothing transacted in Congress as yet that we are at liberty to communicate. The Journals are not yet printed, tho' ready for the Press, but will be soon.

You'll give us leave to Repeat our Desire that our Convention, or Committee of Safety will forward a Petition for Government, setting forth the absolute necessity of it, the impossability of taxg without which is a thing that must be done, as it would ruin us to be emitting paper on every occasion. You'll pardon us for throwg out these hints.

We are, Sr, your most humbl Servts

JOSIAH BARTLETT
JOHN LANGDON.

Letter from General Sullivan to the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 95.]

Winter Hill, October 4th, 1775.

Gentlemen: — Your favour of the 28th ultimo is now before me. I am extremely sorry that you have had such unexpected trouble about the New Hampshire forces. I am well appraised of your original Contract & suppose there would not have been any Difficulty had it not arisen from the adoption of the army by the Continent & the General orders for the Colony to pay their troops up to the 4th of Augst which the other Colonies complying with & New Hampshire neglecting caused the uneasiness among the soldiers. I suppose the orders were not seasonably made known to you which perhaps may be in some measure my fault, but as you had a Committee then on the spot, and it being more peculiarly their Province to acquaint you, I left it with them, especially as my hurry would scarcely permit me to write a Line. I know Gen^{l} Washington thought of paying them off with Continental money, but that not coming to hand he found a failure of his promise in orders would be Inevitable unless some of the Colonies could advance the money for their Troops; he applied to me; I told him I supposed our Colony could do it as well as not, as it would eventually be only exchanging your money for Continental money. He also required that the several Colonies should clear off with their men up to the 4th of Augst & after that the Continent was to pay them & reimburse the Colonies. This occasioned the Post script in my letter in favour of those who went with Col^{o} Arnold & sure I am that no Difficulty could arise in this as the money carries no Interest & you are to receive Continental money for all you advance. Therefore I might well be excused in Telling Gen^{l} Washington that New Hampshire could & would as willingly do it as Connecticut & Rhode Island. You ask me where the great defect has been? I never laid it with you; but that there was a defect somewhere, & I think you have without my assistance been pleased to point it out. You say that the general orders were not made known to you, which surely the Committee ought to have done, & had I suspected they would have been deficient in their Duty, should amidst the hurry and confusion I then was in, have done it myself.

You say that you understood there was only a few Blankets in arrears, which not being the case the persons in whom you confided must have been Deficient in giving you proper information.

You say that the Mr. Rollins had orders in July last to provide a hundred Coats. This was not done, nor had that attention been paid to your orders which you might reasonably expect.

I hope therefore you, Gentlemen, will readily agree with me that there was a Defect somewhere, & without my assistance find out where to place it. I should be extremely sorry to have it thought I mean to censure or condemn so Respectable a Body as the Committee of Safety. I suppose it my Duty to write facts as they are; I shall thereby do justice to you & acquit myself of the charge of Indolence & inattention. I am sorry to find you have so just a foundation for hinting that some of the officers raise Difficulties themselves and then Instill them into the minds of the men. I believe that is too often the case, but from whatever source these Difficulties spring the Trouble to me and Dishonor to the Troops & consequently to the Province is Equally the same. I shall use my Endeavors to make the Terms you propose in your Letter as agreeable as possible to the men & spare no pains in Endeavoring to keep the Troops from Troubling you with complaints.

Gentlemen, I am, with great respect,
Your most obed^{t} Serv^{t}

Jn^{o} Sullivan.

Hon^{ble} Committee of Safety.

Letter from Committee of Safety in Portsmouth, to General Washington.

[Copied from Amer. Ar., 4 Ser., Vol. III., p. 960.]

Portsmouth October 2, 1775.

May it Please your Excellency —

The Ship Prince George, Richard Emmes, master, which left Bristol the 19 of July last, loaded with eighteen hundred and eighty barrels, and twenty four half-barrels of flour, for the supply of General Gage's Army, was taken possession of by our people this day, as she entered the harbour, which the master says was a mistake. We think it our duty to acquaint your Excellency with this matter, and that we have ordered the Ship to the wharf, having unbent her sails, and appointed a sufficient guard on board to prevent any embezzlement. The master, yesterday morning, spoke with the Raven, sloop of war, from England, bound to Boston, which had been out ten weeks. This Committee have examined all the letters and papers brought by Captain Emmes, and find they contain nothing material.

I am, with due respect, Sir, your Excelleney's most obedient & most humble Servant.

H. Wentworth, Chairman.

His Excellency General Washington.

Gen. Washington's Answer to the foregoing Letter.

[Copied from MS. State Pap., Vol. II., p. 99.]

Head Quarters, Cambridge, Octo 5, 1775.

Gentlemen — I am to acknowledge the receipt of your favor of the 2d instant, informing me that the ship Prince George, Captain Emmes, from Bristol to Boston, with flour for the enemy, by a mistake of the Captain, and the spirited conduct of some of the inhabitants, was now in your possession.

I cannot but consider this as a most providential event, the state of this army being alone defective in that article. It would therefore highly conduce to the publick interest, and to our relief, to forward it hither as soon as possible, which, I apprehend may be done with safety and care by water, as far as Salem or Marblehead. In the mean time, I will communicate the matter to the Continental Congress, for their direction, as to the compensation to be made the captors, and the determination of what property arises by the capture, and in whom vested.

Whatever expenses may accrue in complying with the above request, and whatever risque may be run by the carriage by water, I will engage; but, as I do not learn there are any of the enemy's ships on the coast, I hope the risque is very small.

I am, &c.

George Washington.

To H. Wentworth, Chairman, &c.

P. S. One Mr. Fisk, from Salem, who left Boston the day before yesterday, informs that a sixty-four gunship, a twenty, and two sloops, with transports of soldiers, having taken on board two mortars, howitzers, &c. sailed on yesterday. As the design is probably to batter some Town on the coast, I thought it proper to give you the earliest notice, and it may be advisable to detain the flour a few days, till their destination can be known.

A true copy, Att.

Supply Clap, Secy.

Portsmouth Committee to the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 109.]

Committee Hall, October 7, 1775.

GENTLEMEN: — On the 2d day of this month, the Ship Prince George, of which Richard Emmes is master put into this harbour from Bristol, bound to Boston, loaded with one thousand eight hundred and ninety-two barrels of flour. Upon notice of her arrival, Lieutenant Thomas Pickering with a boat and hands, by order of Captain Titus Salter, went on board, and finding the said provisions were intended for the use of Gage's Army, he took her into possession, and brought her up to this Town, and unbent the sails, and applied to this Committee, on the 3^{d} day of this month. Messrs. S. Sherburne, P. Long and G. Wentworth, all of this Committee. were appointed to unload her; and as the Town is in great want of flour, they were desired to make sale of fifty barrels for cash, and to supply the fort therewith; but before they had accomplished it, the vote was reconsidered, and ordered that no part of the cargo should be taken out till the advice of the Committee of Safety for the Province was taken thereupon. And we wrote at the same time to General Washington, advising him of the capture; to which we have received the inclosed answer, by which he requests the whole may be sent up to him, as the Army is in want of it, and he will be accountable for it. We also represent to you, that this Town is destitute of flour; that not a barrel is to be bought, at any rate, for the supply of the forts and inhabitants; and at best six hundred barrels should be reserved for their use, and to be sold for the cash only. Your advice is requested by us in respect to the disposal of this cargo, and we would wish it as speedily as possible, for our government. You will perceive, by General Washington's letter that an armament is fitting out at Boston, upon some expedition, and, as he suspects, to bombard some Towns on the coast; we are not without great suspicion that the enemy have an intention upon this Town. With the advice of Captain Worthen, we have thought proper to order Captain Robert Parker to enlist forty-four men immediately, to be stationed at the fort on Seavy's Island, for the present defence of that fort for one month; which we hope will meet with your approbation, as we have been induced thereto wholly for the publick safety. We have appointed John Penhallow, John Wendal and George King, Esqs. to wait upon you, and to confer fully with you on such matters as may regard the general safety.

I am, Gentlemen, in behalf of the Committee,
your most obedient servant,

H. WENTWORTH, chairman.

To the Honourable Committee of Safety
for the Colony of New Hampshire.

New Hampshire Committee of Safety to General Washington.

[Copied from Am. Ar., 4 Ser., Vol. III., p. 967.

In Committee of Safety for the Colony of New Hampshire
October 11, 1775.

SIR — The Committee of Safety for the Town of Portsmouth have represented to us that the ship Prince George, Captain Richard Emmes master, from Bristol, bound to Boston, with provisions for the Army there, is now in their port and in custody; and that they had represented the matter to your Excellency, and that you had desired the whole cargo might be forwarded to the Army under your Command.

This Colony have upwards of one hundred soldiers stationed at the batter-

ies erecting in our port, and often two hundred men in a day, from the Country, working on the batteries, and there is not, nor has there been for some weeks past, one single barrel of flour to be purchased within this Colony. We therefore, thinking it necessary for the promotion of the common cause, have ordered one hundred barrels of the flour to be taken for the use of the said soldiers, and doubt not it will meet with your Excellency's approbation; and, as the Town of Portsmouth is in great want of bread, if the circumstances of the Army will admit of it, we should be exceeding glad that about five hundred barrels of the flour might be sold to the inhabitants of the said Portsmouth, and the money deposited in the hands of some faithful person, until the determination of the Continental Congress, relative to the said cargo, may be known.

We should also propose to your Excellency's consideration, whether the transporting the flour round Cape Ann will not be dangerous. We conceive it more prudent to convey it in small vessels to Ipswich (though the land carriage from there is further than from Marblehead) than to risk it round the Cape.

Your Excellency's sentiments on this matter will greatly oblige your most obedient servants.

P. S. The sailors appear to be pleased with the capture, but are uneasy about their wages; and we would request your opinion whether or not they should be paid by the sale of some part of the cargo.

General Washington's Answer to the foregoing Letter.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 127.]

Camp at Cambridge, October 15, 1775.

GENTLEMEN: — I was yesterday favoured with yours of the 11th instant, wherein the necessities of the TOWN of Portsmouth, and the garrison there, for some part of the late capture of flour, are represented. Had I known their situation, I should have made the application unnecessary by directing Mr. Moylan (1) on the subject. They have my cheerful consent to take what is necessary, but perhaps somewhat less than six hundred barrels may answer the present exigence. As our mutual wants are now known to each other, I shall leave it to you to reserve what quantity you think indispensably neccessary.

I do not see any impropriety in paying the seamen their wages out of the sales of some part of the cargo, and make no doubt it will be approved in the settlement of this affair.

With respect to the transportation of it to Marblehead or Salem by water, I apprehend it must depend upon circumstances, such as the enemy being upon the coast &c. of all which Mr. Moylan was directed to inform himself, and then act as should be best. The expense of land carriage would be very considerable, and I wish to use all possible economy so as to be consistant with our safety. You will please to favour Mr. Moylan with your opinion on the subject, to which he will pay a suitable regard.

I am, with much respect and esteem, Gentlemen,
Your most obedient and very humble servant,

GEORGE WASHINGTON.

The Hon. William Whipple, Esq. Chairman.

(1) Stephen Moylan, Esq., who was Commissary General of Musters to the Army, was appointed by Gen. Washington to negotiate and superintend the transportation of the said flour. He ordered 1200 barrels to be carried by water and delivered to Hask. Darby, at Salem, &c [*See Correspondence on this subject in Amer. Ar., 4 ser., Vol. III., pp.* 960–979.]—ED.

[Copied from MS. State Pap. Revn, Vol. II., p. 115.]

Committee Hall, Octr 11th, 1775.

Whereas a letter has been rec'd this day from Joseph Reed Esqr Secretary to his Excellency Genl Washington, setting forth that he has given directions to Mr. Moylan Muster-Master General, to receive the Cargo of Flour on board the ship Prince Geo. Richard Emms, Master, and transport the same to head Quarters for the use of the army; and, Whereas the Comtee have applyed to the Provincial Comtee of Safety, who have represented to his Excellency the necessity of preserving a part of the said Cargo for the use of the Inhabitants of this Colony, in their present necessitous state,—an answer to which is not yet received: Therefore—

Voted, That there be forthwith delivered to the said Mr. Moylan twelve hundred & ninety barrells of Flour, part of the aforesaid Cargo, & that Messrs Geo. King, Joshua Wentworth, Saml Sherburne, Pearse Long & Geo. Wentworth be a Committee to assist the said Moylan in shipping the same.

By order of the Comtee of Safety.

H. Wentworth, Chairman.

Extract from the minutes,
Attest — Supply Clap, Secry

Copy of a Letter to Gen'l Washington.

[Copied from MS. State Pap. Revn, Vol. II., p. 131.]

Colony of N. H.
In Committee of Safety, Octr 18, 1775.

Sr.

We have the honor to acknowledge the receipt of yrs of ye 15th Inst. & we are deeply sensible of your benevolence towards the Inhabitants of Portsmo.

We have consulted the Committee of that Town and concluded to forward the whole cargo except 400 barrels.

A person of integrity is appointed to weigh off & take an Account of the whole Cargo, to sell three hundred bbls. thereof, & to the Inhabitants of Portsmo, & out of the Proceeds to pay the sailors' wages.

Before the receipt of yrs, Mr. Moylan had settled the method of Transportation.

In behalf of the Committee
I have the honor to be with the
highest esteem, yr Excly most obet
Humbl servt

Another Letter from Portsmouth Committee to the Committee of Safety.

[Copied from MS. State Pap., Vol. III., p. 113.]

Comtee Hall, Portsmo 9th Octr 1775.

Gent.

In addition to what we wrote you the 7th Instant, We beg leave to mention the expediency of having a number of Men at the Batteries in case the Fleet mention'd in Genl Washington's Letter should be destined for this Port & have therefore given it in charge to the Comtee appointed to wait on you to

request that a Number of men properly officerd & equipped (We think 200 may be sufficient) may forthwith be forwarded from the Towns not far distant from this in order to attend at the said Batteries till the destination of the said Fleet is known, I am,

By order of the Com^tee of Safety
Gent^n, your most H'ble Serv^t
H. WENTWORTH, Chairman.

Letter from Israel Morey, Esq., to Committee of Safety, relating to the siege of St. John.

[Copied from MS. State Pap., Vol. II., p. 101.]

Orford, 6^th October 1775.

GENT^n —

A few days since I Received a Letter from Lieut. Palmer in Col. Bedle Com^y, dated 23^d Sept. informing me that they were in Camp about 1 1-2 mile below St. John. Col. Bedle is there with about 1000 men. I wo'ld inform you something of the ingagement that they had in landing &c. Major Brown attempted to Land and was Drove of some time since, as most likely you have heard, with y^e loss of 8 men; but since they landed higher up without much Loss. Maj^r Brown with a party of men, 40, went partly round St. Johns and took possession of y^e waggen Road and tuck eight waggen Loads of stors from *Kanda?* and convaid them so that they were well secured from y^e Enemy, and hove up one small Entrenchment with his little No. of men; but the Enemy at St. John, hereing of the affair sent out a Party of 250 men with two field peces and obliged Brown &c. to Retreat with one of his Capt. mortally wounded, and sum other wounded men, y^e Gen^l hereing y^e fire sent off Col. Bedel with 400 men to Reinforce Maj^r Brown. but Col. Bedel mist of Brown as Brown had retreated; but Col. Bedel come right upon the Enemy where Brown had intrencht and obliged them to make the best of there way back to St. John, so that Col. Bedel got possession of the intrenchment and still keaps it, and had Col. Bedel fully tuck the advice of y^e Indians that led him, its thought that he wo'd cut of the whole party with there Cannon &c. but he was as I am informed afrade that they wo'ld not be true to their trust as know Dought we sho'ld if that we had been in his place, but I can assure you by all that I can learn by the Post &c. that Col. Bedel behaved exceeding well in that affair &c. and that he Does honor to y^e Colony of New Hampsh^r &c. and they have surrounded St. Johns on every side and cut of all communication from Kanda &c. that in y^e whole they have taken 22 waggen Loads of Stors, provision, ammunition &c. the sails for there shipping that they were building, and that our men had intrencht with about half a mile of St. John, and begun to Draw y^e Cannon up before y^e Post came away and it is most likely y^e affair is settled before this time. Leut. Palmer writs me that y^e French were exceeding kind and true, and that 500 were then under arms with them and that 500 more were every hour expected to join them from Kanda with Col. Allen &c. who was gon in to Kanada with 300 men, and that the French are as much engaged as our people in the Cause and that the Indian Capt. Lue &c. are there with Col. Bedel and that they Dayly join them and that they send in their Belts to Col. Bedel and receive presents from him &c. &c. Blessed news this to our Country, &c. and thus our Army live well by the help of the French &c. Capt. Moses *Hazzen?* is in St. John, but wheather confined as a prisoner or joined the enemy we can't yet learn.

From your humble Serv^t.

ISRAEL MOREY.

The Hon^ble Committee of Safety, New Hampshire.

Dr. Benjamin Church.

[Copied from MS. State Pap. Rev,[n] Vol. II., p. 105.]

Letter from Doc'r S. Tenney, to Joseph Gilman of Exeter.

Cambridge, October 6, 1775.

Sir — You have doubtless before this time heard of the perfidious & treacherous Behaviour of our great Patriot and Orator Doctor Church. (1) The Discovery of which engrosses the attention & conversation of every Rank, Age & Denomination among us. Every one is curious & impatient to know the particulars of so important a Discovery & the contents of the Letter which led to it. To gratify this Curiosity in my Exeter Friends, I have been at some pains to obtain a copy of the material Parts of the Letter & the way in which it fell into our hands. It appears from the Letter itself that he wrote it at Cambridge & immediately carried it to New Port, there to deliver it to Capt. Wallace of the Rose, (I think) but finding the Capt. absent on a Cruise, he left it in the care of *one of his mistresses*, and returned. She, instead of delivering it herself, gave it to a Gentleman, whom she knew to be a Friend & Intimate of the Doctor, desiring him to convey it to the Captain. This gentleman, being a high Whig, thought very strange that a man of Doctor Church's character & Importance should correspond with an open Enemy to the cause in which he was engaged, & therefore kept the Letter in his possession for some time. At length by the advice of several friends, to whom he communicated the matter, he opened and found it written in characters illegible. This so fully confirmed his suspicions of villany & Intrigue that he immediately brought the Letter and the Lady who gave it to him to Head Quarters. Church was arrested & brought before a court of Inquiry, where he freely acknowledged the Letter. I herewith send you a copy of the material parts of it as decyphered by three different Gentlemen (2), and am with much Esteem, Sir, your friend & hble Servt.

S. Tenney.

Superscribed — "Mr. Joseph Gilman
Merchant of — Exeter."

Letter from Dr. Church to Gen. Sullivan.

[Copied from Amer. Ar., 4 Ser., Vol. III., p. 712.]

American Hospital, September 14, 1775.

Dr. Church presents his most respectful compliments to General Sullivan, and most heartily felicitates himself on receiving so honorary a testimonial of General Sullivan's approbation, as he met with the last evening at Head Quarters. The Doctor esteems himself peculiarly happy that the undeserved prejudice against him is so totally removed, which, from frequent intimations, he was apprehensive had possessed the General's mind. He flatters himself that his whole conduct, during the present unhappy contest, will bear the strictest scrutiny. A regard to place, popularity or the more detestable motive of avarice, never influenced his conduct in publick life. The sole

(1) Doctor Benjamin Church was Director General of the Hospitals at Cambridge. On account of complaints from the Regimental Surgeons "that they were not allowed proper necessaries for the use of the sick," an inquiry was ordered into the cause of this; and Doctor Church was summoned to appear before a Court of Inquiry in General Sullivan's Brigade, Sept. 8, 1775, at the hour of 10 o'clock. The result of the inquiry at that time, may be inferred frem the letter which he wrote soon after. But the letter should be interpreted in connexion with the subsequent "discovery." [*See Am. Ar., 4 Ser., Vol. III, p.* 667.] — Ed.

(2) The copy of the said letter referred to cannot now be found. — Ed.

object of his pursuit, the first wish of his heart, was ever the salvation of his Country.

The Doctor, nevertheless, in justice to himself, and with respect to the man who behind the curtain has influenced and took the lead in the opposition to him, must declare, that although he could never stoop to act the parasite, play the buffoon, or become the herald of his own eminence in his profession, would feel the indignation of conscious merit, should he be put in competition with the person who vainly endeavors to supplant him.

Hon. General Sullivan.

Letter from our Delegates in Continental Congress to Matthew Thornton.

[Copied from MS. State Pap., Rev^{n}, Vol II., p. 111.]

Philad^{a} 7th Oct^{r}, 1775.

MATTHEW THORNTON, ESQ.

SIR — We wrote you a few days since fully Desir^{g} the acc^{t} of our Supplies to be forwarded immediately, as also the number of Inhabitants, as soon as may be. This serves chiefly to inclose a Resolve of the Congress which we were order'd to forward to the several conventions immediately that they might take such spirited measures as to them might seem meet. [See following order, Oct. 6.]

By the last advices from London the ministry seem wickedly inclined to burn more Towns; therefore we would humbly suggest the propriety of securing our sea-coast, as thereby we should not only secure the Capital, but prevent the sons of Depredation from Ravaging the country, and thereby compleating their Diabolical Designs. By Express just arrived from Gen. Schuyler we are likely soon to be in possession of St. Johns and Canada, as the former is held besieg'd by our Troops, and the Canadians join us, the Indians are also Friendly.

We are, S^{r} with Respect
Yo^{r} most H. ob. serv^{ts}

JOSIAH BARTLETT
JOHN LANGDON.

Dangerous Persons to be Arrested.

[Copied from MS. State Pap., Rev^{n}, Vol. II., p. 103.]

In [Continental] Congress, Oct. 6, 1775.

On motion made

Resolved — That it be recommended to the several provincial Assemblies or conventions & Councils or Committees of Safety to arrest & secure every person in their respective Colonies, whose going at large may in their opinion endanger the safety of the Colony or the liberties of America.

A true copy from the minutes.

CHARLES THOMPSON, Sec^{y}.

Indorsed — "Resolve of the Grand Congress respecting Tories, &c. Oct. 6, 1775."

Letter from the Provincial Committee of Safety to our Delegates in Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 121.]

In Committee of Safety,

Exeter, Oct^{r} 12th, 1775.

GENTLEMEN —

On the 2^{d} of this Inst. the ship Prince George, Richard Emms, Master, from Bristol bound to Boston with 1892 Barrels of Flour for the use of General Gage's army, came into our Harbour & was boarded by a number of men under the command of Lieut. Pickering of the Matross Company, & Bro't up to Portsmouth, where she is detained. Gen. Washington has been consulted concerning her and has desired that the Cargo may be sent to the army and has promised to write to the Congress for their directions in what manner the Cargo should be disposed of, and what should be allowed the Captors &c.

As there is not a Barrel of flour to be sold in this Colony, & we were under a necessity of taking a Hundred Barrels of the Flour for the support of our soldiers & workmen at the Batterys erecting on Seavey's & Pierce's Islands, there being employed thereon upwards of a Hundred soldiers besides workmen; which we have since represented to Gen. Washington with a proposal to sell 500 Barrels to the Inh^{ts} of Portsmth & deposit the money safely until directions from the Congress should be obtained.

Our Batteries are almost compleated. The work done on them will surpass your Imagination. Several hundreds of men from the Country round about having voluntarily labored thereon, a considerable part of the time since they were begun.

We have lately had a requisition from Gen^{l} Washington to pay our troops up to the 4th August, which was quite unexpected & will occasion our emitting more money and of course hinder our accounts from being forwarded some time. The numbering the Inhabitants of this Colony is in hand & when compleated we shall transmit you an account thereof.

We have nothing to communicate to you new. Our publick affairs continuing as they were when you left home, but must desire your diligent Endeavours to procure something to be done relative to our civil Government.

P. S. If thro' the multiplicity of his affairs Gen. Washington should omit to write fully concerning the said ship & Cargo, we desire you to lay the matter before the Congress & procure their Directions concerning it to be transmitted to us as soon as possible.

Indorsed — "Copy of a Letter to
Messrs. Bartlett & Langdon, Oct^{r} 12, 1775."

Form of Enlistment for Minute Men.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 123.]

[Extract.]

In Committee of Safety, October 12th, 1775.

It is earnestly recommended to the persons who shall be appointed to enlist Minute men to use their utmost endeavors to fill up the Companies as soon as possible; — and to the soldiers at this important crisis when our all is at stake, to engage in the service, and as they will be relieved in four months the Duty will be nearly equal among all the militia.

And the following form is to be used for Enlistment:

We, the subscribers, do hereby severally Enlist ourselves as Minute men for the term of four Months, in the company under the command of A. B. in the ———— Regiment of Minute-men in the Colony of New Hampshire; and we hereby promise to submit ourselves to the orders & regulations of said Minute-men and faithfully to observe & obey such orders as we shall receive from time to time from our officers.

Letter from Col. Timothy Walker, jun.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 125.]

Medford, Oct^{r} 15th, 1775.

Sir — Yours of the 12th Instant, by Mr. Perkins came safe to hand. I waited upon General Washington yesterday morning, but found he had just set out early for Roxbury, and was not expected back till 3 o'clock P. M., at which time I call'd again & found him at Home. The General, after reading your Letter told me, I must call next morning for an Answer. I call'd accordingly & received the inclosed. The General directed me to call upon the Commissary General for some cash to pay the freight of some Flour which it seems is coming this way. I called at the Commissary's office, but was inform'd the *the* Money was not to be had at present, but that they would forward it as soon as it should arrive from Philadelphia.

Your Letter to Col. Bartlett will be forwarded tomorrow morning by the Post.

I am, Sir, your most obedient and
very humble servant,

Timothy Walker, jun.

William Whipple, Esq^{r}.

Letter from Matthew Thornton.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 129.]

Londonderry, Oct^{r} 16th 1775.

Gent^{n} —

Last Thursday I set out for Cambridge: got there Fryday P. M. was informed that the Gent^{n} did not leave Philadelphia till the Sixth Instant & were not expected till the 15 or 16th Instant. When at home my cloase has not been off but one night for ten past; and if my wife is not better I cannot possibly leave Home. If you send *by a Committee?* (1) tomorrow, & I can goe, it will be exceeding agreeable to me to meet them & take their advice; & in case I cannot, they will be ready to Represent the Colony. I leave all to your wisdom, & am, Gent^{n}, with great Respect, your most obedient H^{ble} servant.

Matthew Thornton.

The Hon^{ble} Committee of Safety, Exeter.

(1) The original is mutilated.—Ed.

Letter to the Committee of Portsmouth about a Supply for Inhabitants of the Isles of Shoals.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 131.]

In Committee of Safety, Exeter, Oct^{o} 17th 1775.

Gent^{n} —

Application having been made to us for liberty of transporting necessaries of Life to the Inhabitants of the Isles of Shoals, we have tho't best to refer all matters of that kind to your consideration & determination; more especially as we conceive you must be much better acquainted with the circumstances & necessities of those people than we possibly can be. We think, whatever their conduct may have been, that thro' the misfortune of their situation, they ought not to be precluded from the means of subsistence; & therefore recommend to you to grant permit to such Persons as incline to supply them from your harbour, to do it in such manner & such Quantities as to you shall appear most just and expedient.

[Sent to Com^{tee} of Portsmouth.]

Letter to the Committee of Portsmouth.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 131.]

In Committee of Safety, Oct^{r} 17th, 1775.

Gent^{n}.

Joshua Wentworth, Esq^{r} having appli'd to us for permission of a Vessel, addressed to him from Antigua, to return there, & we having deliberated on the matter, are of the opinion that it will not infringe upon the Continental Association if permission be granted accordingly, & have agreed that she be permitted to depart, provided the said Mr. Wentworth & the master give security to your satisfaction that no kind of merchandise be taken on board & no more Provisions than shall be necessary for the support of the hands in the Passage.

Committee of Portsmouth.

Letter from the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 131.]

To the Hon^{ble} Mesheck Weare & Nathaniel Folsom, Esq.

Gentlemen —Whereas the Hon^{ble} Matthew Thornton, Esq. President of the Congress of this Colony, has represented to us that he had been requested by the Hon^{ble} Continental Congress to give his attendance at Cambridge, in order to join a Com^{tee} from that Congress and Gentlemen from the other N. E. Colonies, to confer on matters for the Public Safety and has further represented that the circumstances of his family are such as will probably prevent his attendance: You are, therefore, desired to attend said Conference (in behalf of this Colony) and join with them in consulting upon such measures as may be proposed for the publick weal.

By order of the Committee.

W. W. C.P.T.

Colony of N. H. in Committee of Safety at Exeter the 18th Oct^{r} 1775.

Letter from General Sullivan respecting vacancies, &c.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 133.]

Winter Hill, October 18th 1775.

GENTLEMEN: —

Agreeable to your request I inclose you a List of vacancies in the New Hamp^{r} Regiments with the names of the persons Recommended to fill them; beg you to fill up the Commission & forward them as soon as possible to Gentlemen.

Your very humble Serv^{t}

JN^{O} SULLIVAN.

Hon. Committe of Safety in New Hampshire.

P. S. As Col^{o} Stark & Col^{o} Reed have not mention'd when the vacancies happened, beg you to leave me to put in the dates, which I think you may venture to do, though I am fully convinced of the Justice of your observation, viz: That you have no authority to Delegate the power of making our Commissions.

Y^{r} Humble Serv^{t}

J. S.

A Return of vacancies in Col. Stark's Regt.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 135.]

In Capt. Reed's Company, Lieutenancy vacant; Ensign James Anderson recommended to said vacancy, and Robert Barnet for an Ensign in said Company. Ensignry vacant in Capt. Kinsman's Company; Sam^{l} Bradford recommended to said Vacancy. Ensignry vacant in Capt. Abbot's Company; Abiel Chandler recommended to be commissionated as Ensign in said company from the first establishment of the Reg^{t}.

JOHN STARK.

Camp on Winter Hill
Oct^{r} 18, 1775.

Return of Vacancies in Col. Reed's Regiment.

[Copied from MS. State Pap., Rev^{n}, Vol. II., p. 137.]

The vacant Commitions in Col. Reed's Regiment with the Names of those pearsons Recommended to Receive said Commitions: — a Lieutenant wanting in Capt. Spalding's Company: The Parson Recommended to *suploy* said vacanci is George Aldrich, now Ensing in Capt. Hind's Company; altho said Aldrich hath not Recived his Ensings Commition. An Ajdant vacant; Stephen Peabody Recomanded to Recive the Ajdanci, who hath ever done the Duty: An Ensinry vacant in Capt. Hutchins Company, the parson Recommended is Richard Coughlan Sarjant Major, to fill up said vacancy, and William Hawkens who Distinguished himself in the Battal at Bunker Hill the 17th of June Last, to suploy the place of an Ensing in Capt. Hind's Company in Lue of the above named Aldrich:

So the matter is:

Georg Aldrich Lieut.
Richard Coughlan and
William Hawkens Ensings
Stephen Pebody, Ajdant.

JAMES REED, Coll.
ISRAEL GILMAN, Lt. Coll.
NATHAN HALE, Major.

Camp, October the 18th, 1775.

Return of those recommended for Commissions in Colo. Poor's Regiment.

[Copied from MS. State Pap., Vol. II., p. 139.]

Ensign Thomas Lyford to a Lieutenancy in Capt. Tilton's Company, vacated Sept. 20. Joseph Huntoon to be Ensign in said Compy vacated Augst 27th. Lieut. Thomas Leavitt to succeed the late Capt. Elkins discharged Augst 20th. Ensign Nathl Thwing to succeed Lieut. Leavitt, and James Wedgwood to succeed Ensign Brown of said Compy, discharged Sept. 20th.

William Rowell to be Ensign in Capt. Clough's Compy to succeed Ensign Lyford, vacated 20th Sept. Richard Weare to be Ensign in Capt. Rowe's Compy, Commission vacated Septr 3d, Enoch Chase to be Ensign in Capt. Titcomb's Compy, commn vacated Sept. 1st. Thomas Chandler to succeed Ensign Thwing in Capt. Shortridge's Compy vacated 20th August.

ENOCH POOR.

Indorsed — "Return of vacancies
in Colo Poor's Regt, 20th Octr, 1755."

Col. Jona. Moulton to the Committee of Safety.

[Copied from MS. State Pap. Revn, Vol. II., p. 141.]

Hampton, Octobr 16th. 1775.

GENTLEMEN — I Recd yours Informing me of my appointment to the command of the third Regiment of Militia in this Colony & Requesting to know my Design consarning it. I am much obliged to the Respectable Body of Gentlemen who chose me to that Trust. As God in his Providence has lately sent sickness and Death into my Family and am still so confined that I can Not have the Benefit of consulting my Friends and those who have been consarned in this Regiment, which make it more difficult about giving an Answar; but as you think it Expedient to have a speedy one from me, I would Inform you that I will Indeavour to sarve my Country in the Best manner I am able, in that Capacity.

I am, Gentlemen your most obedt
and very Humble Servt,

JONA MOULTON.

To the Committee of Safety
of the Colony of New Hampshire.

Lt. Colo. Christo'r Toppan, declines.

[Copied from MS. State Pap., Vol. II., p. 143.]

Hampton, Octr 17, 1775.

GENTLEMEN: — I Received yours of the 11th Inst. by which you Inform me that the Congress for this Colony have appointed me Lieut. Colonel of the third Regiment of Militia within the said Colony — The Respect shew'd me by the Congress I gratefully acknowledge, and must beg leave to inform you that I decline accepting the office.

I am, Gentlemen, your
most humble Servt

CHRISTO'R TOPPAN.

To the Committee.

Order of Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 145.]

In Congress, Oct^{o} 18, 1775.

Resolved, That a just & well authenticated account of the hostilities committed by the ministerial troops & Navy in America since last March be collected with proper evidence of the truth of the facts related, the number & value of the buildings destroyed by them, also the number & value of the vessels inward or outward bound, which have been seized by them since that period, as near as the number & value can be ascertained; also the stock taken by them from different parts of the continent.

Mr. Deane, Mr. J. Adams & Mr. Wythe a Com^{tee} for this purpose.

Chs. Thomson, Sec^{y}.

Letter from H. Wentworth to Gen'l Washington.

[Copied from Am. Ar., 4 Ser., Vol. III., p. 1152.]

[Extract.]

Portsmouth, October 19, 1775.

"We entreat your Excellency's patience while we assure you that the people of this Province, and of this town in particular, have exerted every nerve to put this port in a proper state of defence; but that all our precautions are to no effect, for want of a sufficient quantity of powder, our whole stock of which at present is only seventeen barrels. We have therefore despatched Mr. D'Ewing, who has orders to wait on your Excellency before he sleeps, to request the favour of your Excellency to spare us as much powder as you may think proper.

I am, sir, very respectfully, by order of the Committee of Safety, sir, your Excellency's most obedient humble servant.

H. Wentworth, chairman.

His Excellency General Washington."

Major Jona. Hale Resigns his Commission.

[Copied from MS. State Pap. Rev,^{n} Vol. II., p. 149.]

Gentlemen: —

I had the pleasure to receive from Col^{o} Morey not long since a Commission appointing me a Second Major of the 12th Regiment of Militia, by order of the Provincial Congress, which I esteem as an Honour done me, and acknowledge myself obliged to that Hon^{bl} Body for the Favour. But for some Reasons I am now to trouble you with, I must beg leave to resign the Commission.

In the month of May when the Country was generally alarmed at the commencement of Hostilities, in the Mass^{a} Government, We had a Meeting held in this place of Committees from several Towns belonging to our Regiment, at which several Matters of consequence were determined and regulated, among the rest a choice of Field officers for this Regiment in which the People in general appeared to be satisfied, and to rest content, expecting the same appointments might be confirmed by the Provincial Congress.

Mr. James Bayley was then chosen the second Major, but it seems for want of our Plan being communicated at the time, he was dropt in the late choice

by Congress, which has given him & some others of our Regiment, as I am informed, considerable uneasiness, and endangers the harmony & unanimity which we would wish to cultivate and preserve in this part of the Country.

Mr. Bayley was a soldier in the last War and in considerable service on the western Frontiers, wherein he underwent great Hazards and difficulties for his country & to which he has in these perilous times proved himself a good Friend, having been very active in every measure recommended by the several Congresses as far as related to us in this Quarter, and of course supposed by our Committees to be a suitable Person for that Commission. I am therefore willing in order to keep Peace among us, to give up my Commission, not from any Disgust myself, on the contrary, I shall be ready to serve my Country in any other Commission or Employ, to which I may hereafter have the honor to be chosen; and remain with all due respect

Gentlemen
Y^r^ most obedient humble serv^t^

JONA. HALE.

Haverhill, Oct. 21, 1775.

To the Hon^bl^ the Committee of Safety
for the Province of New Hampshire
Exeter.

Orders to Major Thomas Bartlett.

[Copied from MS. State Pap. Rev^n^, Vol. II., p. 151.]

Portsmouth, Oct^r^ 23^d^ 1775.

To Major Thomas Bartlett of Nottingham: —

SIR — You are desired to Bring or send down as soon as possible all the Town Stock of Powder, Bullets & flints to Head Quarters at Portsmouth; hereof fail not, by express order of General Sullivan, and you are to take an Exact accompt thereof to be a record by you kept.

These from your m^t^ Humble Serv^t^

BENJAMIN BUTLER, Capt^n^.

In [Continental] Congress,
Thursday Oct^r^ 26, 1775.

[Copied from MS. State Pap., Rev^n^, Vol II., p. 153.]

Resolved, That it be recommended to the several Provincial Assemblies, Conventions or Councils of Safety of the United Colonies, to export to the foreign West Indies on account & risque of their respective Colonies, as much provision or any other produce except horned cattle, sheep, hogs and poultry, as they may deem necessary, for the importation of arms, ammunition, sulphur and salt petre.

Ordered, That a Copy of the above be transmitted by the delegates to their respective assemblies, conventions or Committees of Safety.

A true copy

CHAS. THOMSON, Sec^y^.

Letter from N. H. Delegates in Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 155.]

Philad^{a} 26th October, 1775.

WILLIAM WHIPPLE, ESQ.

Sr — Your favor, in Committee of the 12th Instant, is now before us: In answer to which we say, That General Washington had laid the affair of the Flour ship before the Congress, some days before your favor came to hand; but nothing has been concluded. We urged that the ship and her cargo belonged to the Colony, as she was taken by our men in Provincial pay; and not by Continental forces: that we had suffered and were still suffering many losses by the taking of our ships inward and outward bound — And that before the taking of this Flour ship. As soon as this matter is settled shall inform you.

We are greatly rejoiced to hear that the Batteries are in such Readyness, as we have expected to hear that Portsmouth was cannonaded. Capt. George Hastines (who built a ship at Kennebeck last year and loaded with masts at Portsmouth) is now here, in a Transport from Boston, bound to New York, with Capts. Duncan, Chamble & Lieut. Simes, and number of men, who were imployed to Inlist Scotchmen in the Back parts of New York to reinforce the ministerial Army. They are all close Prisoners, except Capt. Hastins. A quantity of goods &c. is saved out of the Ship.

I saw Capt. Hastings yesterday, and as I was acquainted with him, he ventured to inform me that when he sailed from Boston, 4th Instant, Capt. Mowatt (Scotchman) with three armed Transports, were almost Ready to go round to Portsmouth, for the purpose of burning the Town; therefore, for God's sake, be ye ready.

You mention Powder; there is a secret Committee for Procuring that article, of which Mr. Langdon is one; every Precausion is taking for ample supplies, but as the whole Continent is to be supplied, as well as the two armies, it makes it uncertain when can send you any. We beg leave here to suggest that the greatest attention should be paid to the use of powder; that no Cannon be fired unless Drove to the last extremity.

We were sorry to see that you Intended to emit more paper money, but as General Washington's Requisition Demanded it must be done. The House is now crowded with motions, otherwise should have mov'd for a grant of a certain sum to our Colony which would have answer'd our purpose without emitting; shall do it first opportunity, but fear the want of our Acc^{t} will prevent the grant.

We some time since made motion for the Regulation of our Civil Government, and this day a Committee is appointed to consider the motion and Report thereon; could have wished for a Petition from our Congress sett^{s} forth all the Reasons &c. had been transmitted to us, which would have help'd the matter much: — Committee has been appointed to collect the Depredations committed by the sons of Tyranny, thro' the Continent w^{ch} you'll hear from.

We are with respect,
Your most ob^{t} Serv^{ts}

JOSIAH BARTLETT
JOHN LANGDON.

P. S. Inclosed is Resolution of Congress respecting Powder.

Defence of Portsmouth Harbour.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 167.]

In Committee of Safety,

October 27th, 1775.

To Wm. Knight & Josh. Wentworth, Esq^{rs}, Capts. Pearne, Thompson & Clapp:

It having been represented to this Committee, as necessary that a number of vessels should be properly moor'd above the Boom on Piscataqua River, in order to prevent the passage of the Enemy's ships up the River, We do therefore desire you, or any three of you to take a sufficient number of the meanest vessels you can easily find that will answer the purpose, and fix them in such places & in such a manner above the Boom as you shall judge best: Also to appraise each of said vessels and make return thereof with the names of the owners to this Committee, & to assure the owners of the vessels you shall so take, that in case they are destroyed in said service, they shall be paid for according to your appraisement.

By order of the Committee.

[The following return was subsequently made to the foregoing order:]

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 279.]

Portsmouth, Dec^{r} 16, 1775.

Pursuant to the above order, We the subscribers determined on & transported four vessels for the purpose abovement^{d} & valued the same. Since w^{ch} find^{g} it unnecessary they shou'd lay any longer at their mooring & have return'd them to the respective wharves from whence they were taken & deliver'd them to the several owners unhurt; but that one of the Cables & Hawsers are injured by use, of w^{ch} a future Estimate may be made, if the owners require it.

Wm. Knight
Josh. Wentworth
Willm Pearne
Supply Clap.

Acco't of Labor on Five Rafts built at Newington, Oct. 22, 1775.

[Copied from Rev^{y} Papers, pp. 277, 278.]

Col Jos. Smith	9 days	Tho^{s} Bennit	3 days
Tho^{s} Tash Esq.	4	Jonath^{n} Colcord	1
Josiah Hilton	4	Walter Bryant	1
Nath^{l} Ames	2	Caleb Bennit	1
Hub' Neal	5	Levi Folsom	1
Bradstreet Doe	2	Benj. Mead	1
Col. Hilton	1	Jarmey Bryant	1
Jeh' Hilton	3	Georg Tuttle	1
John Bennit	2	Zeb Doe	1 1-2
James Cram	2	Rufus Euers	1 1-2
David Folsom	2	Tho^{s} Churchwell	1 1-2
Asa Folsom	4	Enoch Stephens	2
Jonath^{n} Robinson	2	Sam^{ll} Burley, Jr.	1
John Doe	1	Nicholus Harfard	1
Wentworth Cheswill	2	Col. Jarms Folsom	8 1-2
David Wiggin	2	William Folsom, Jr.	1
		Jonathan Doe	1 1-2
		Will^{m} Folsom	3 1-2
			80 Days.

Acco't of Labor of Men and Oxon Percuring Pich wood & other Combustables for Five Rafts, &c.

Winthrup Smith	5 1-2	Ich^{d} Bracket	2 1-2
Nicholus Dudley	2	Caleb Barnet	1
Jon^{a} Stephens	1	Capt. Jos Young	5
Nath Stephens	1	Sam^{ll} Burley	2 1-2
John Folsom	2 1-2	David Davis	1
Sam^{ll} Durgin	1-2	James Burley	2
Robert Goodwin	2	Arthur Bennit	1
Hub^{t} Neal, Jr.	1	Jonathan Wiggin	1 1-2
Edward Hilton Jr.	2	Aaron Kineson	1
Mrs. Perkins Oxen	1-2	Sam^{ll} Chapman	2
Walter Bryant Jun.	6 1-2		
Jos. Smart	2 1-2	52 Days in man & oxen	52
Josh. Bracket	2 1-2		
Jacob Fowler	1 1-2		
Phillip Fowler	1 1-2		

Letter recommending pay to Capt. Wm. Cooper.

[MS. Prov. and Revol^{y} Pap. in Sec^{ys} office, p. 27.]

Fort Washington, Nov. 14, 1775.

Gent. —

In consequence of a Requisition from the Committee of the town of Portsmouth to y^{e} Committee of Southampton, the bearer Capt. William Cooper with eleven men came to our assistance and Tarried seven days in the month of September last, during which we can without any disparagement to y^{e} Rest of our brethren observe no company behaved themselves Better — which time they generously gave to their country. In the late movement Capt. Cooper bro't to our assistance seventeen men and Tarried with us ten days. Owing to his not making a seasonable Return to the commanding officer, we find they are likely to be Excluded from Receiving their wages in consequence of a Resolve of the Honourable Congress; wherefore we think it but just & Reasonable they should Receive their wages in common with other companys. We are, Gent.

Your most ob^{t} Hum^{bl} serv^{ts}

Ezekiel Worthen
Titus Salter.

To the Honourable the
Provincial Congress at
Exeter.

N. B. A true copy with Respect to time
Attest — Joseph Leigh.

Memorial of Gen. Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 151.]

To the Honourable the Committee of Safety for the Province of New Hampshire: *Humbly Shews:*

John Sullivan's, That General Washington sent him to Portsmouth in this Province to take the Command of the forces here to Repel any attacks upon this or upon any other sea-port in this Quarter, and has since sent some small force from the Army to assist in such Defence; That he in consequence of the directions given him, has summoned in a part of the Militia with

whose assistance he has thrown up some works in this & the Province of Maine for Defence of Piscataway Harbour & taken such steps as appeared to him necessary for the Defence of Portsmouth, & has compleated it as far as the length of time since his arrival would admit; But finds that the Fleet destined to destroy this Port has proceeded to Boston: — Whereupon the militia begins to return to their respective Homes, leaving the works unfinished, not as yet defensible & without Guards sufficient to prevent your Fort & Town being taken & destroyed by surprise: he humbly apprehends that at least one thousand men, Exclusive of two hundred Artillery men ought to be raised & stationed at New Castle, Pierce's & Seavey's Islands, for some short space of time, with proper officers appointed to command in each Department, with proper officers to command the Companies stationed in each; he begs your advice on the affair & that you would inform him what is necessary to be further done & that you would let him know as soon as may be whether you apprehend it necessary for him or the Rifle men & Artillery men sent him from the Army, to tarry any longer; That he may conduct himself accordingly & begs leave to assure you that whatever you direct or advise to shall be chearfully complied with by your most obed^{t} serv^{t}

JNO. SULLIVAN.

Copy of a letter to Gen. Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 161.]

In Committee of Safety, Octo^{r} 27th, 1775.

SIR — This Committee in consequence of your Representation are deeply Impress'd with gratitude to General Washington for his early attention and kindness to this Colony in sending you with some forces to protect their metropolis from the threatened invasion, and hope the same generous disposition will induce him to continue his assistance while our Danger remains.

The number of men you propose to have raised for our present defence we have considered of and judge it necessary the number of matrosses be augmented to Two hundred, and that Eight Hundred men more be enlisted for fifteen days to guard the several necessary Ports & Passes, and shall give orders for compleating the same.

Coll. Joshua Wingate, Lieut. Coll. Jonathan Burnum, Maj^{r} James Hacket are appointed by the Congress, Field officers of a Regiment of minute-men and commissioned. We have, therefore directed them to take command according to their several stations; have requested Will^{m} Knight and Joshua Wentworth Esq^{r}, Capt. Will^{m} Pearne, Capt. Thomas Thompson & Capt. Supply Clap to procure & fix a number of vessels above the Boom in order to hinder the passage of our Enemy's ships up the River.

We expect, Sir, while you are permitted to tarry, you will employ the Troops here and such as shall come in, in such a manner as you shall judge necessary in preparing for and making the best defence circumstances will allow of, observing all the frugality & economy the great object of Defence will admit of; and on all matters of consequence, where time will permit, to consult the Congress of this Colony or this Committee.

The fixing a Cable to strengthen the Boom as you proposed, considering the time it will require to prepare it & the great expense thereof & the importance of the Boom & ships, we think may be omitted.

Letter from Dr. Hall Jackson. (1)

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 159.]

Portsmo', Octob^{r} 27, 1775.

D^{r} Sir — You are well acquainted how suddenly I left my business, to assist in the army, and the difficulty it is to regain our Business when once got into other hands. I would have willingly return'd home in ten days, but both officers and surgeons would not hear to it, and I have vanity enough to think I have been of some service to the Faculty, as well as the soldiers in general. My not having any Commission or authority from our Congress, has prevented my drawing any pay or provision as yet, tho' I have paid Mr. Bishop 12*s* pr week myself and 7*s* pr week for my Horse, and indeed, sir, to tell you the truth I am quite exhausted — no money, and drove with my Family out of Town. I have a letter from John Langdon: he sais, I shall be honorably provided for; but must get from our Congress a Commission and allowance for past services. Your kind attention to the merits will lay me under an obligation, that I cannot easily repay.

y^{r} most humble serv^{t}

Hall Jackson.

[no Superscription.]

Letter from General Sullivan to Gen. Washington relating to the defence of Portsmouth and to Tories.

[Copied from Am. Ar., 4 Ser., Vol. III., p. 1252.]

Portsmouth, October 29, 1775.

May it Please your Excellency: —

I arrived here in about twenty-four hours after I left you. Have collected powder so as to make up near thirty barrels, and have since been preparing to set an example to the other sea-ports by setting the fleet at defiance. Upon my arrival, I was surprised to find that the boom so much talked of was not prepared; that the bridge intended for crossing from the main to the Island whereon stands the principal Fort (called Fort Washington) had nothing more than one pier sunk; that there was not a foot of the parapet over which a man might fire, or even see his enemy; that the embrasures at the fort were horizontal, as well as the tops of the parapets; and. in short, not a moment's defence could be made, or annoyance given to the enemy, either with cannon or small arms. I immediately collected a number of gondolas, moored them head and stern, laid pieces from one to the other, and plank across, and soon completed the Bridge. I then turned my attention to the boom, and in two days got it across, but found it could not stand the rapidity of the tide, it soon broke, and we have again fixed it, so that I hope it may hold; but lest it should deceive us, I have taken a number of ships, and moored them above, with a great quantity of combustible matter in them, and shall tomorrow have them chained together; and in case the boom should give way, set those vessels in flames. I have also a great number of fire-rafts ready to let loose upon them. I have altered the works, and, I trust, made them fit for defence, and I doubt not, will, in two or three days more, be completely prepared.

I am extremely thankful to your Excellency for the riflemen sent to our assistance; it has indeed filled our people with gratitude, and that my coming down was equally agreeable, your Excellency will see by the enclosed letter from their Committee of Safety.

(1) Doct. Hall Jackson was of Portsmouth; and it appears that he was not only surgeon in the army, but Captain of an Artillery company in Portsmouth.—Ed.

I have seen some men that were on board the fleet after the destruction of Falmouth. Captain Mowatt showed his orders, which were to burn all the sea-ports east of Boston. When he departed from Falmouth, he told them that he must go to Boston and take a recruit of shells, carcasses, &c. and then would visit Portsmouth. I expect him daily but in case he does not arrive in a few days, shall despair of his coming.

I must beg your Excellency to give me intelligence of any movement of their ships, with any orders you may think proper, with respect to my conduct while here. I shall give the earliest intelligence of any thing material; and remain, with great esteem, your Excellency's most obedient servant.

JOHN SULLIVAN.

His Excellency General Washington.

P. S. I enclose a letter sent from the eastward, which was enclosed in one to me, signed by one Major Goodwin, of Pownalborough. That infernal crew of Tories, who have laughed at the Congress, despised the friends to liberty, endeavoured to prevent fortifying this harbour, and strove to hurt the credit of the Continental money, and are yet endeavouring it, walk the streets here with impunity; and will, with a sneer, tell the people in the streets that all our liberty-polls will soon be converted into gallows. I must entreat your Excellency to give some directions what to do with those persons, as I am fully convinced that if an engagement was to happen, they would, with their own hands, set fire to the Town, expecting a Reward from the Ministry for such hellish service. Some who have for a long time employed themselves in ridiculing and discouraging those who were endeavouring to save the Town, have now turned upon me, and are flying from one street to another, proclaiming that you gave me no authority or license to take ships to secure the entrance of the harbour, or did anything more than send me here to see the Town reduced to ashes, if our enemies thought proper. Sir, I shall wait your directions respecting those villains, and see that they are strictly complied with by your Excellency's most obedient servant.

J. S.

Letter from Adj. Gen. Gates to Gen. Sullivan.

[Copied from MS. State Pap., Vol. II., p. 169.]

Head Quarters 30th Oct^{r} 1775.

SR —

His Excellency General Washington directs me to acquaint, that it is necessary for the publick service that you be at Cambridge Wednesday Night; as the Vessels that were expected at Portsmouth, are said to be return'd to Boston. I apprehend they have laid aside their design on Portsmouth for the present. The General is now confident from your vigilance, that the Enemy can only meet with disgrace, should they dare to make their appearance before that Town.

I am, sir, your most obedient,
Humble servant

HORATIO GATES, Adjutant General.

Letter from Col. Timothy Bedel, relating to the Siege and capture of St. Johns.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 163.]

Camp North St. Johns 27th October 1775.

GENTLEMEN —

I left Cohos the 10th Sept^{r} with my Rangers and arrived in Eight days on the North of St. Johns. I have done all in my power for the good of the cause, and have brought Cannon down the River by the Fort of St. Johns and sent them to Chambalee and taken that Post without the loss of a Man. We found in the Fort 80 Barrels of Flour, 11 Barrels of Rice, 7 Barrels of Pease, 6 Barrels Butter, 141 Barrels Pork, 1 Barrel Salt, 124 Barrels of Powder, 300 Swivel Shot, 6564 Musquet shot in Cartridges, 150 stand of French arms, 3 Royal Mortars, 61 shells, 500 hand grenadoes, 83 stand King's Arms & accoutrements, a large quantity of Rigging and other stores of various Sorts, 8 commissioned officers, 73 non-commissioned & Privates, 35 women and 55 children; they are sent to Hartford. I have had the command here of about 1200 men and have Parties out at Laprare and Longale. We have took from the Enemy since we came here 20 waggon loads of Stores which was going to Saint Johns, such as wine, Rum &c. I expect to be in the Fort in a few days. I am fixing everything that is requisite for a siege. I have a Battery of four 12 pounders, 1 mortar, and 3 Royals fixing at my Post which will be ready to Play in a day or two. I have applyed to Gen^{l} Montgomery for Money for my men, but without success, as he Says he does not know whether we are to be paid by the Province or Continent, neither has he had any Instructions about it from the Continental Congress or Committee of Safety. I shall be glad to have a supply or Orders for the same as speedy as possible, as the men are suffering for want of cloathing and other Necessaries. Paper money will not pass here, and the weather begins to be very severe. I have a considerable Body of Canadians and Indians here under my Command; the Indians remain chiefly with me. I must beg my men may not suffer for want of Necessaries comfortable for the season of the year, after serving their country in so good a cause. The two Retreats had before my arrival, as also Col. Allen's, has been a great damage to us. We have had 13 men belonging to Capt. Parker's Company deserted in one night and I am afraid if money and cloathing can't be had we shall lose a great many by sickness or Desertion, as we have a great many sick at present. I can't hear any thing about Arnold with the Quebec expedition.

I am, Gentlemen, your M^{t} Obed^{t} Serv^{t}

TIMOTHY BEDEL.

To the Committee of Safety.

2^{d} Nov^{r} 8 o'clock at Night.

This moment I have got Possession of Saint Johns and the Post being obliged to set off have not time to Copy the Articles of Capitulation, and tomorrow shall march for Montreal leaving a detachment to keep this Fort. Gen^{l} Carlton came out with about 800 men against a party of ours of about 350 and was obliged to Retreat; we have took 2 Indians and 2 French Merchants Prisoners, and killed 4 Indians which were found upon the spot with 2 Frenchmen: The Prisoners say they carried off 40 dead and about as many wounded. We did not lose one man. The Prisoners in St. John's Fort consists of upwards of 600. In about 4 days we shall have either a wooden Leg or Golden chain at Montreal: For God's sake let me know how I must supply my men.

TIMO. BEDEL.

Superscribed —

"On service of the United Colonies —
The Hon'ble Matthew Thornton, Esq.
Chairman of the Committee of Safety
for New Hampshire,
Exeter."

[*Journal resumed from page* 609.]

[p. 114.] In Congress at Exeter October 31st 1775.

The Congress met according to adjournment.

Voted, That Col. Wm. Whipple, Col. Timo Walker the Revd Mr. Fletcher, Mr. James McGregore and John Dudley Esq. be a Committee to consider what sum of money will be sufficient to be Emitted at this time to answer the Demands on this Colony, and a scheme for the Emission thereof, and make report thereof as soon as may be.

Novr 1st.

The above Committee made report as Follows, viz:

Pursuant to the vote yesterday we have considered *we have considered* what money will be Necessary for the present Exigencies of the Colony, and are of opinion that the Receiver General should Issue Notes for Twenty Thousand Pounds, Lawful money. Four Thousand Pounds of which to be redeemed on the Twentieth day of December 1779; Six thousand on the 20th of December 1780; Six Thousand on the 20th of December 1781; and Four Thousand on the 20th of December 1782. And that Eighteen thousand Pounds of the said sum be in notes of the following Denominations: viz. Forty shillings, Thirty shillings, Fifteen shillings, Ten shillings & Five shillings, and that Two Thousand Pounds of the said Sum of Twenty Thousand Pounds, be of the following Denominations: viz, Three shillings, Two shillings and six pence, one shilling & nine pence, one shilling & six pence, nine pence and six pence:

Which report was accepted and voted to be a Resolve of this Congress.

Voted, That Colo Weare & Capt Josiah Moulton be a Committee under oath to get the aforesaid sum of money (according to said scheme) Printed, and to Deliver the same to the Treasurer and Take his receit therefor.

Voted, That Samuel Hobart Esq. be appointed to sign said Notes with the Treasurer.

Voted, That the said Notes at the several Periods fixed for payment of the same, be paid by a Tax on the Polls & Estates in this Colony, and when paid into the Treasury to be burnt to ashes in Presence of the Representatives of the People of this Colony or a Committee appointed by them.

[p. 115.] Voted, That the men raised as minute men in this Colony be Enlisted for four months only then to be Dismist if they Desire it, and the same officers to proceed to Enlist anew as at First.

Upon the Representation of John Quigley, Esq. to this Congress, That he was afraid of being hurt in his Person or Estate by some People in the County of Hillsborough under pretence of his

being an Enemy to his Country; and after some Enquiry in to the affairs, It is Resolved by this Congress, That it be recommended to the Committees of Safety in the said County to do their Endeavour to protect said Quigley from Damage in any respect for any past supposed bad disposition towards his country: And the good people in said County are desired not to disturb or molest him on said account but suffer him in Quiet to enjoy his Estate and Freedom as other inhabitants of said County. (*a*)

(*a*) In Committee of Safety, July 19th 1775.

Sir — The bearer hereof John Quigley, Esq. has met with difficulty, and thinks it unsafe for him to tarry at the place of his usual abode, by reason of the Disaffection in some persons against him: we would recommend it to you, to take him into your Company in the common service.

Capt. Timothy Bedel, Esq.

Voted, upon reading the Petition of a Number of the soldiers in the East Parish of Kingston (relative to the appointment of their officers in the Militia) that Col. Gale and the Petitioners be heard thereon on Monday next, P. M. if the Congress be then sitting, and if not on the first day of their sitting afterwards.

A letter from the hon^ble George Jaffrey, Esq. late Treasurer of this Colony in answer to a vote & order of this Congress being read & considered,

Voted, That the said Letter is not satisfactory to this Congress, and that a message be Immediately sent to the said George Jaffrey Esq. from this Congress, requiring him to attend this Congress forthwith, with his accounts in order for settlement; otherwise the Congress will take further Notice of his contempt, and that the Rev. Mr. Fletcher be the Messenger to wait on him for that Purpose.

[The following is the Letter referred to.]

Letter from Hon. Geo. Jaffrey.

[Copied from MS. State Pap. Vol. II., p. 171.]

Portsmouth, October 31st, 1775.

To the Hon^ble Congress held at Exeter, October 31st, 1775.

I received the vote of Congress of Sept^r 1st requesting me to lay my Treasurer's Acc^ts before you, on the second day of your present session; at which time I should attend on the Congress had not the alarm of men of war, and other forces coming to destroy this Town necessarily prevented — for fear of which calamity I was induced to have my goods pack'd up in order to be removed from the threatened Destruction. I began several days later than many of my neighbors, and hastily, before I had engaged a place out of Town, to secure them, and for my Family to retreat, and removed many of my goods out of the Town, which are disposed of in places not secure: That I am necessarily engaged to remove my goods (to a place I am favored with by a gentleman at North Hampton) which are already out of Town in different Barns and other places, and also y^e remainder of my goods at my own house which cases of necessity are such, that I cannot doubt that the Congress will dispense with my attendance upon them at the time they prescribed —as any other time may answer their purpose of my attending them.

So I rest, Gent^n, your obed^t serv^t,

Geo. Jaffrey.

Reply to the foregoing Letter.

Your letter of the 31st ultº just come to hand Informing that by reason of the alarm at Portsmouth you could not attend this day to lay your Treasurer's accounts before the Congress: it is now expected that you attend on Tuesday the 7th Inst. with your accounts ready for settlement, as the scarcity of Paper, and other Reasons will not permit any more Requisitions in this way.

Letter from General Sullivan to the Provincial Congress.

[Copied from MS. State Papers, Vol. II., p. 175.]

Portsmouth, Novr 1st, 1775.

MUCH RESPECTED GENTLEMEN —

I inclose you a Letter from head Quarters calling for my presence immediately. Mr. Palfrey tells me that he doubts not I may return in two or three days, & by what he has communicated I am convinced that I must return in a very short time. I am well satisfied that my presence can by no means be dispensed with at head Quarters. I am sorry that the call was so sudden as to prevent my seeing the works compleated & the army formed. That you may know how far I have proceeded, I have directed the orderly Book to be transmitted to you with a return of all the men in the several departments. I also Inclose you a Return of the Stores in each Fort, with what is wanting to make a proper Defence: that you may know the state of your Forts I shall leave the artillery officers & men here with the company of Riffle men till my return, which will be as sudden as possible.

Gentlemen, I am, with great esteem your very humble servant

JNO. SULLIVAN.

P. S. I also inclose the Barrack-master's Returns.

Hon. Provincial Congress.

Letter from Col. Joshua Wingate.

[Copied from MS. State Pap., Vol. II., p. 179.]

Fort Sullivan, Seavey's Island,
Nov. 2d 1775.

GENTLEMEN —

I find it absolutely necessary that a person well acquainted with Rivers & Tides in the Harbour be appointed to take the charge of the Ships & Fire-Rafts; also that a surgeon be appointed constantly to reside and take care of the Troops on Seavey's Island, in case of accidents, which we are constantly exposed to, independent of what might happen from the attacks of an Enemy. To the first Department I have appointed Capt. Robert Parker of Portsmouth, and to the latter Doctor Samuel Wiggelsworth of Durham, in which I beg the acquiescence of the Honble Congress, and that they would be pleased to ratify the same.

JOSHUA WINGATE, Colº.

[P. 116.] Novr 2, 1775.

Voted That George Jaffrey Esqr have time till Thursday next, forenoon, to bring his Treasurer's accounts to Congress for settlement.

Voted, That Lieut. Colonel John Hale be Colonel of the Regiment lately commanded by Col° Lutwyche, Robert Reid, Esq. Lieutenant Colonel, Samuel Greeley First Major, and William McQuesten be Second Major.

Voted That Enoch Hale, Esq. be Colonel of the Regiment lately commanded by Col. Kidder, Thomas Hale, Lieut. Col., Capt. Robert Wilson First Major and Asa Brigham Second Major.

Voted, That the Sloop in Mr. Joshua Wentworth's care, which lately arrived at Portsmouth Be not Permitted to Depart out of the Port of Piscataqua untill further orders of the Congress.

Nov. 3d.

Voted, That the Hon^ble Matthew Thornton Esq^r, the Hon. Meshech Weare Esq., Ebenezer Thompson Esqr, Mr. Nathaniel Rogers, John Dudley, Wyseman Claggett & Benjamin Giles, Esq^r be a committee to bring in a Dra't of a Petition from this Congress to the Continental Congress, setting forth the State of this Colony, and Praying their Direction for some speedy mode of Government & Execution of Justice in this Colony; and that the Committee lay the said Draft before this Congress as soon as may be.

Voted, That the Regiment lately commanded by the Hon^ble Matthew Thornton Esq^r be Divided into two Regiments, and that the bounds between the Two old Towns of Londonderry & Chester, be the bounds between said Regiments.

[P. 117.] Upon hearing the Petition of Sarah Lutwyche (concerning her Ferry being taken from her by the Committee of Merrimac & Litchfield,) and hearing Mr. Jonathan Blanchard in behalf of said Committees,

Resolved, That the said Ferry ought to be Immediately given up to the said Petitioner, and that the person who has improved the same under the direction of the aforesaid committee, account to the Petitioner for the Proffits that have arose since he has held it by order of said Committees.

Letter from our Delegates in Continental Congress.

[Copied from MS. State Pap. Rev^n, Vol. II., p. 181.]

Philad^a 3d Nov^r, 1775.

Sr. This serves to inclose a Resolve of the Congress relative to Civil Government for the Colony of New Hampshire, by which you'll see they recommend such a form as shall be agreeable to a free Representation of the People; in short such a Government as shall be most agreeable to the Province. The argument on this matter, (being the first of the kind, as we had no charter) were truly Ciceronial, the eminent Speakers did honour to themselves and the Continent; carried by a very great majority.

The power is ample and full even to the choice of Governor, if the Colony should think it necessary; but that, we humbly conceive worthy of consideration. You'll see that the government is limited to the present contest: To ease the minds of some few persons who were fearful of Independence, we tho't it adviseable not to oppose that part too much, for once we had taken any sort of government nothing but Negotiation with Great Britain can alter it.

We would here beg leave to suggest whether a Government somewhat similar to the Massachusetts would not be best — a free representation of the Province, tho' not too many, as they may be increased at any time, but it would be hard to Diminish; those Representatives to chose a Council, of proper number, — say 15 — these two Branches to act in all cases whatever and not to proceed so far as Governor at present, tho' the Door may be left open for that purpose. We throw out these hints with great submission to the Hon^ble^ Convention.

We think [we] can say without boasting, have done our duty in this matter, by paying constant attention, for long time, not only in the House, but in private conversation with members, to clear up any doubts they might have on this head. We can't help rejoicing to see this as a ground work of our government, and hope by the Blessing of Divine Providence, never to return to our former despotick state.

Inclosed is also Resolves respect^g^ Trade which we had orders to Transmit.

We have also the Pleasure to inform you, that an express has just arrived from St. Johns, with advice that our men has taken the Fortress at Chamble, and have sent the Standard Coulors of the Seventh Regiment to this Congress, took six tons of Powder, and many valuable stores, ab^t^ 100 Prisoners, hope to have possession of St. Johns soon. Mr. Langdon expects to set out in a few days for Canada, being one of a Committee for that Place.

We are your most obd^t^ serv^ts^,

JOSIAH BARTLETT
JOHN LANGDON.

Resolution of Congress respecting N. H. Government.

[Copied from MS. State Pap. Rev^n^, Vol. II., p. 183.]

In Congress, Friday, Nov. 3^d^, 1775.

The Congress taking into consideration the report of the Committee on the New Hampshire Instructions:

Resolved, That it be recommended to the Provincial Convention of New Hampshire, to call a full Representation of the people, and that the Representatives, if they think it necessary, establish such a form of government, as in their judgment will best produce the happiness of the people, and most effectually secure peace and good order in the province during the continuance of the present dispute between Great Britain and the Colonies.

Extract from the Minutes,

CHA'S THOMSON, Sec^y^.

Resolution of Congress respecting trade.

[Copied from MS. State Pap. Rev^n^, Vol. II., p. 177.]

In Congress, Nov. 1, 1775.

Resolved, That no produce of the United Colonies be exported (except from Colony to Colony under the direction of the Committee of Inspection & observation, and except from one part to another of the same Colony) before the first day of March next without the permission or order of this Congress: provided that nothing herein shall be construed to vacate the resolutions of Congress for the importation of arms, ammunition &c.

Resolved, That New York, the lower Counties on Delaware, North Carolina & Georgia, ought not to avail themselves of the benefit allowed to them by the late restraining Act: and therefore that no person should apply at the custom houses in those Colonies for clearances or other documents which other colonies are deprived of by said restraining Act, for securing the navigation of vessels with cargoes from their ports; And that the president transmit to the Assemblies or conventions of those colonies, copies of this resolution with the thanks of this Congress to those Colonies respectively for not having hitherto taken any advantage of their exemptions in the said Act of Parliament.

Resolved, That no rice be exported under the exception contained in the 4th article of the Association from any of the United Colonies to Great Britain, Ireland or the Islands of Jersey, Guernsey, Sack, Alderney & Mann, or any other European Island or settlement within the British Dominions.

That no live stock (necessary sea-stores at the discretion of the Committees, and horses excepted) be exported from any of those Colonies or *water borne?* except in rivers, bays & Sounds.

Extract from the Minutes,

CHA'S THOMPSON, Secy.

Sundry Resolutions of the Continental Congress.

[Copied from MS. State Papers Revn, Vol. II., p. 185.]

In Congress, Nov. 4, 1775.

Resolved, That it be recommended to the several Assemblies or Conventions of the Colonies respectively to set & keep their gunsmiths at work to manufacture good fire-locks with bayonets, each fire-lock to be made with a good bridle lock, 3-4 of an inch bore and of a good substance at the breech, the barrel to be 3 feet 8 Inches in length; the bayonets to be 18 Inches in the blade, with a small ramrod, the upper end thereof to be trumpet mouthed; that the price to be given be fixed by the Assembly or Convention or Committee of Safety of each Colony; and that until a sufficient quantity of good arms can be manufactured, they import as many as are wanted, by all the means in their power.

Resolved, That it be recommended to the several Legislatures, Assemblies, or Conventions of the Colonies, to enact a Law or pass an Ordinance inflicting the following punishment upon such as harbour deserters knowing them to be such, viz: a fine upon all such offenders not less than 30 nor more than 50 dollars, & in the case of inability to pay the fine, to be punished with whipping, not exceeding 39 lashes for each offence; also, that they impower the Commander-in-chief or the officers commanding a detachment or any out-post to administer an oath & swear any person or persons to the truth of any information or intelligence or any other matter relative to the publick service.

Resolved, That it be recommended to the several Legislatures of New England to impower the General to impress Carriages, vessels, horses or other things necessary at a reasonable rate for the transportation or march of the army or any part of it, or on any other emergency; and that this power may be deputed in writing under the hand of the General to the Quarter-Master General or any prior officer, who are to be accountable for any abuse thereof.

Nov. 10, 1775.

Resolved, That it be recommended to the Assemblies, Conventions, and Committees of Safety of the thirteen United Colonies to appoint certain persons within each of the said Colonies, whose business it shall be to employ & set to work so many persons as they may think proper both to work up

such earth as is now fit for making salt-petre & to collect together & place in beds or walls under sheds all such earth & composition of materials as are suitable to produce salt-petre after being duly exposed to the air, in order to increase the produce of it, and that the delegates of the respective Colonies be directed to send this resolution together with the resolutions of the last session respecting salt-petre to their respective Colonies and cause them to be printed and made publick there.

Extract from the Minutes.

CHAS. THOMPSON, Secy.

Resolution of Congress Relating to the Army before Boston.

[Copied from MS. State Papers, Vol. II., p. 187.]

In Congress, Nov. 4, 1775.

Resolved, That the new army intended to be before Boston consist of 20,372 men, officers included.

That, if upon trial, the number of men before resolved on cannot be raised out of the present army, then the officers for the new army recruit their several regiments & companies to their full complement, and in case the necessity of the service require it, that the General be impowered to call forth the minute men or militia of the Massachusetts bay or the neighboring Colonies according to the nature and exigence of the service.

December 7.

Whereas doubts may arise respecting the true intent & construction of a certain resolution of this Congress passed the 4 day of November last impowering the General, in case the necessity of the service should require it, to call forth the minute men & militia of the New England Colonies:

Resolved, That the said resolution shall not extend or be construed to authorize the General to call forth the said minute men or militia without having applied to and obtained the consent of those officers in whom the Executive power of Government may be vested.

Extract from minutes.

[This was found in the State Library with the name of (I suppose) Charles Thomson, torn off.]

J. F.

Novr 4th.

Voted, That the Delegates or Representatives to be chosen to represent this Colony in Future shall be chosen by the voices or Votes of the Electors and not by the value of their Estates.

That every Elector for Representatives in this Colony be Possessed of a Freehold or real Estate of the value of Twenty Pounds Lawfl money in such Town or place where the Election shall be.

That every Person so elected shall be worth Three hundred Pounds Ll money in real Estate in this Colony; the Election to be adjudged of by the Selectmen & the moderator of the meeting, saving an Appeal to the Congress or house of Representatives.

That every Town, Parish or Precinct in this Colony containing one hundred Freeholders as aforesaid may send one Delegate or Representative to the Congress or General Assembly; and that Every such Town, Parish or Precinct having a greater number of Freeholders, may send a member for every hundred such Freeholders.

That Precepts be sent to every Town, Parish or Precinct in this Colony, Directing them to Elect a member & send to the Congress to be holden at Exeter in said Colony on the day of next, if such Town, Parish or Precinct contain one hundred such Freeholders, and if not, then to couple with one or more other Towns or Parishes untill they make up that number of such Freeholders.

[P. 118.] Nov^{r} 7th 1775.

In Congress at Exeter.

Upon the Petition of a Number of the Training souldiers in East Kingston against Lieut. Col. Gale for unfair Proceedings in the Election of officers in that Company:

Voted, That Nathaniel Balch, David Lawrence, Esq^{r} Dec^{n} Knowles, Samuel Dudley Esq^{r} Abel Webster, Capt. Caleb Page, Mr. John Cragin, Deacon Benj^{a} Brown & Samuel Chase Esq^{r} be a Committee to Examin into the subject matter of said Petition & to hear the said Gale and the Petitioners thereon, and make Report to this Congress as soon as may be.

Petition of Soldiers of East Kingston.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 203.]

Colony of New Hampshire.

To the Hon^{ble} The Congress for said Colony at Exeter, convened 31st October 1775.

The Humble Petition of the Training Soldiers Inhabitants of the East Parish of Kingston in said Colony, whose Names are hereto subscribed:

Shewith — That agreeable to Recommendation from the Hon^{ble} Continental Congress. Jacob Gale, Esq. Lieutenant Colonel of the Seventh Regiment, did on the 29 Day of September last order a meeting of the said Soldiers, the same to be on the 2^{d} day of October current, at the hour of one or two in the afternoon of the same Day, in order to chuse officers for the Company to which your petitioners belong:

That accordingly your Petitioners did attend on the said day and hour at the Meeting House in the said East Parish, (being the place appointed,) and there attended for about the space of four hours, from that time, in hopes that the said Col^{o} Gale wo'd have been present, and that in a regular manner they might have proceeded to the Business for which they were Convened. But your Petitioners (who are the Major part of the said Company by far) dispairing of the Presence of the said Lt. Col^{o} Gale, (as the appointed time was so far Elapsed,) departed every one to his Home.

Now so it is, *May it Please your Honors*, — That after the Departure of your Petitioners in manner as aforesaid, the said Col° Gale, at about the hour of Seven in the Night of the said last mentioned day, attended on the said Business at the aforesaid meeting-house, where he found divers of the said soldiers, and without considering the hour and the absence of your Petitioners (who had so considerable a share in the choice of the officers) proceeded to chuse, and Ezra Currier was then chosen Captain of the said Company, Jacob Ordway Lieutenant, and other officers: which choice of officers and Method of chusing, is by no means agreeable to the Majority of the said soldiers, and has a tendency to Interrupt that Harmony which in the Day of Peril and Distress, sho'd in a more especial manner subsist between the officers and men:

Your Petitioners therefore most humbly pray your Honours consideration of the foregoing circumstances, and that you may interfere therein: That your Petitioners may have an opportunity of a fair, candid, and important vote at a future day, and that the former choice may be declared Null.

Benjamin Smith	Richard French
Jonathan Davis	John Welch, jr.
John Hutchison	Andrew Mace
Eliphalet Webster	Abraham Smith
Jeremiah Folsom	Noah Carter
John Samborn.	William Fifield
Samuel French	Enoch Chase
Nat. Gil. Bachelder	Richard Smith
Moses Stevens	Joseph Bean
Edward Greeley	Jonathan Clough
Enoch Bayley	Ezekiel Merrill
Jon[a] Lad Webster	William Samson
True Pearkins	John Morrill
Samuel Palmer	James Buswel
Thomas Challis	Daniel Samson.

Report of Committee on the foregoing Petition.

[Copied from MS. State Pap. Rev[n], Vol. II., p. 205.]

Wee the Com[tee] being appointed by the Hon[ble] Congress to hear the dispute between Col° Gale & the petitioners within mentioned, respecting the choice of officers in that Company in East Kingstowne: We have accordingly heard the parties & agree to Report as follows, (viz,) That the proceedings of Col° Gale with respect to the warning & his proceedings in the choice of their officers in that company was Elegal and not agreeable to the Resolves of the Congress in that respect, & think the s[d] Company ought to have the benefit of a new choice of officers.

Nov[r] 8[th] 1775.

Sam'l Dudley
Abeel Webster,
James Knowles
Benjamin Brown
John Cragin
Nath'l Balch
Sam'l Chase
C. Page
David Lawrence.

This Report accepted Nov[r] 16, 1775.

Voted, That the Port of Piscataqua & Fortresses lately built for the defence of it be supported by this Colony.

That Two hundred men be Enlisted & Employed as Matrosses or Artillery men, Including those already Enlisted & Employed for the support & Defence of the said Fortresses, for the term or space of two months, unless they or any number of them should be discharged sooner by order of the Congress or Committee of Safety for this Colony.

Voted, That Three hundred men, officers included, be Enlisted & Employed as soldiers for the support & Defence of the said Fortresses & other Ports & Passes in & about Piscataqua Harbour for the Term or space of Two months, unless they or any number of them should be discharged sooner by order of the Congress or Committee of Safety of this Colony.

Voted, That the Committee of Safety be and hereby are Impowered & Directed to receive, allow and pay such accounts as shall be laid before them for Doctoring, Nursing & boarding sick & wounded soldiers in the service of this Colony, as they shall judge to be reasonable & well vouched.

Voted, That the Selectmen of the several Towns Parishes & Precints in this Colony who have supplied any of the soldiers Enlisted in the service of this Colony with guns, Imediately render their accounts to the Committee of Safety, Particularly Distinguishing those which the soldiers are to allow the value of, from those which are to be return'd & six shillings allowed for the use of them: Also the Name of each Person who receiv'd said guns, and what Company each belonged to.

Voted, That the soldiers in the service of this Colony in the Continental Army be allowed nine pence per day for billeting from the Time of their Marching untill they arived at Head Quarters.

[P. 119.] Voted, That each Non-commission'd officer and soldier in the corps commanded by Col. Beedle in the Continental Army commanded by Gen. Schuyler be paid Twenty-four shillings in lieu of a Coat Promised him.

Nov^{r} 8th.

Voted, That Col^{o} Wingate, Lieut. Col. Burnum and Major Hackett have the command of the Five hundred men raised for the Preservation & Defence of the Fortresses on Piscataqua river, and that they Nominate Four Captains to command four Companys to be raised, Provided the men be Enlisted Imediately in consequence of their said Nomination, and that Major Weeks be appointed to communicate the votes of this Congress to the said officers, and make return to this Congress as soon as may be.

Voted, That Capt Pierce Long be appointed Barrack master to the Forces raised for the preservation & Defence of the Harbour of Piscataqua & the Fortresses thereon, and that Major George Gains be appointed Quarter Master to said forces.

Voted, That the Matrosses or Artillery men be Divided into two Companys to be commanded by Capt. Titus Salter and Capt. Eliphalet Daniel.

Voted, That Jacob Worthen, Robert Parker & William Hackett, be allowed & paid four shillings & six pence per day for their services as Master Carpenters, and that the other carpenters be allowed & paid three shillings per day for their wages. (Reconsidered Nov^{r} 15th.)

It being represented to this Congress that the Butchers in Portsmouth have taken unreasonable fees for killing Cattle Drove into Portsmouth for the use of the Inhabitants as well as the Provincial Forces now employ'd in & about Piscataqua Harbour — which measure is very oppressive:

Therefore Voted & Resolved by this Congress That the said Butchers refund all such unreasonable fees, and for the future Take none such, or that such Butchers be not suffered to kill any more Beef in said Town for the use of the said Forces.

Capt. Shadrach Hodgdon's account for supplying Fascines for the batteries being read, voted That it be allowed and paid by the Committee of Supplies.

Voted, That the Selectmen of New Market be sent for to attend the Congress forthwith and answer for their neglect of Numbering their Inhabitants according to the order of this Congress.

Voted That Ebenezer Thompson Esq^{r}, Samuel Sherburne Esq^{r}, the Hon^{ble} Col^{o} Meshech Weare, Benj^{a} Giles, Esq^{r}, & Richard Downing Esq^{r} be a Committee to audit & Examin the Accounts of George Jaffrey Esq. late Treasurer of this Colony, and make report to this Congress as soon as may be.

Voted, That the Hon^{ble} Matthew Thornton Esq^{r} be Colonel of Londonderry Regiment of Militia lately commanded by himself; That William Gregg be his Lieutanant Colonel; That John Pinkerton be his first Major & that James McGregore jun^{r} be his second Major.

Voted, That John Webster, Esq^{r} be Colonel of Chester Regiment, Nathaniel Emerson be his Lieutenant Colonel; That Josiah Fogg be his first Major, and that William White be his second Major.

Voted, That Samuel Shepard be first Major of Col^{o} David Hobart's Regiment, and that Alexander Craige be second Major of said Regiment.

Petition from Londonderry, relating to appointment of Military Officers.

[Copied from MS. State Pap. Vol. II., p. 189.]

To our Hon^le Provincial Congress now sitting at Exeter: We the undersigned Desiers the old Field Officers, viz. Colon. Matthew Thornton & Col^o Stephen Holland Esquires, each as formerly, and we alow them to appoint the Majers at their Pleasuer.

Londonderry, Nov^r y^e 7^th, 1775.

P. S. If the above Gentlemen will not apoint them We nominate Capt. Will^m Gregg, Lieut. John Pinkerton, & James McGregore, Marchant, for first Major.

As witness our hands.

Moses Barnet
Sam^l Allison
Robert Moore
Fra^s Chase
Will^m Wallace
Daniel Runnels
Daniel McAffee.

Letter from Dr. Hall Jackson.

[Copied from MS. State Pap., Vol. II., p. 191.]

Portsmouth, November 8^th, 1775.

GENT^n

By order of General Sullivan I raised a Company of Artillery consisting of 42 men, officers included, their particular duty was to take care and Exercise the Brass Field ordinance, and in case of attack to move with said Artillery from place to place as they shall be ordered: the term of enlistment was 15 days, which will be expired the 11^th instant. The Pieces and utensil are of great value and I have in my possession the following valuable and important stores, viz.

60 pounds of Flannel cartrage with
Canasters of Lead shott, each cannister contains
48 Muskett Balls.
40 rounds paper cartridges,
24 single canisters charged each 48 Balls,
6 dozen turn'd Wooden Wadds,
1 dozen Port-*fires?*
24 Tent tubes, charged with quick match & composition.

Many of the stores I received, by a special request from the Labratory at Cambridge, and are of too much importance to be left without proper persons to take the care of them. I beg to know whether some few of the Company may not be retained in the service for the said purpose, & whether I shall keep the stores in my hands until further orders.

I am with great respect, your hum^l serv^t

HALL JACKSON.

Further stores:

1 doz. of Tubes uncharged,
3 doz. round 2 3-4 Iron round shot.
3 port-fire stocks,
3 small Bundles slow fire match.

Letter relating to the defence of Piscataqua Harbor.

[Copied from MS. State Pap., Vol. II., p. 193.]

Head Quarters, Portsm° Nov. 8, 1775.

GENT^n

The works at the entrance of the Piscataqua Harbour, which are thought absolutely necessary to defend the same are so extensive and so exceedingly exposed, by being situated on Islands so difficult to reinforce, that eight hundred men including the Companys of Artillery, the men necessary to manage the shipping and fire-rafts, is full short of we dare undertake to defend the same with, for the first month; after which time a much less number may be necessary as the season of the year may be such as may render an attack less probable. Any military Gentleman that will undertake to defend the Posts with a less number, to them we resign our command with pleasure; in the mean time we will remain at our respective Posts, with all the men we can persuade to tarry, until superceded or reinforced: We most heartily thank the Hon^ble Congress for the very great honour they have done us, in nominating us to the command, and with a sufficient number of men to make ourselves worthy of the trust the Congress have proposed to honor us with, we should accept with gratitude.

JOSHUA WINGATE,
JONATHAN BURNHAM,
JAMES HACKET.

General Orders for Col. Burnham at Pierce's Island.

[Copied from MS. State Pap., Vol. II., p. 195.]

Head Quarters on Seavey's Island
Nov^r 8^th 1775, 8 o'clock forenoon.

It is with the greatest anxiety that the commanding officer observes the Disposition of many of the officers & Soldiers to return to their respective Homes before the Troops can be recruited; a moment's reflection will convince every person of the Necessity of keeping the posts properly mann'd; for should the Enemy make an attack when the Posts are deserted, the country must be inevitably lost, and the great Expence and labours in raising Fortifications render'd useless.

The commanding Officers will see that every grievance is immediately redressed, and that every man shall be paid for the full time of his service, and he most earnestly begs that every officer will use his utmost influence to keep the Men to their Duty, untill the pleasure of the Provincial Congress be known.

Indorsed — "General Orders for
Col° Burnham, at Pierce's Island."

Nov. 9^th.

Voted, That Capt. Ezekiel Worthen be and hereby is ordered to pay all due obedience to the orders of this Congress respecting his business as Engineer at the Port of Piscataqua.

Voted, That Abraham Drake be Lieutenant Colonell of the third Regiment of Militia in this Colony, commanded by Col° Moulton; That Enoch Page be first Major & William Prescott second Major of said Regiment.

Upon a motion made by Capt. Pierce Long & seconded by Mr. Samuel Sherburne Respecting the Legality of Gen^{l} Folsom's holding a seat in this house: —

Voted, That the consideration of that matter be not now taken up, nor until there shall be a fuller house.

Upon reading a Petition of Mark Duty representing that Joseph Smith & Nehemiah Hadley both of Wyndham had in consequence of a Warr^{t} from the Committee of Safety of said Wyndham unconstitutionally deprived him of his liberty for some time & had taken from him a cow & disposed thereof to their own use, and Praying relief, &c.

[p. 121.] Voted, That the said Smith & Hadley and also Peter Merrill & Sam^{l} Morrison, all of Wyndham, be notified to appear before this Congress on Saturday the Eleventh Instant to answer for their conduct respecting the matter complained of, by reading the complaint & order of Congress to each of them.

Nov^{r} 10th.

Voted, That all those men who have served as soldiers in the late Alarm at Portsm^{o} (such men being properly Enlisted at said Portsmouth) be paid as soldiers in the army, (Except costs &c.) and also all others who went down & can make it appear, that they did duty there at said time, Exclusive of those who are under pay in the Continental Army, and that no more officers be paid as such, than one Captain, one Lieutenant & one Ensign to each Forty Privates.

Voted, That the thanks of this Congress be given to those Gentlemen that generously laboured on the Batterys and other works at Portsmouth on the late sudden alarming emergency.

Voted, That all the votes of Saturday last Respecting Electing Delegates as Representatives & the Qualifications of the Electors & Elected & the manner of choosing & sending them, be and hereby are Reconsidered and made void.

Nov^{r} 11th.

Voted, That it be and hereby is recommended to the President of this Congress, to write to the Continental Congress, and to Gen^{l} Washington, (In the name of this Congress,) a Recommendation of Dr. Hall Jackson to be chief surgeon of the Northern Division of the Continental Army or to appoint him in any other way, according to his Meritt.

Letter from General Washington to General Sullivan.

[Copied from Amer. Ar., 4 Ser., Vol. III., p. 1538.]

Cambridge, November 12, 1775.

SIR —

At a time when some of our sea-port Towns are cruelly and wantonly laid in ashes, and ruin and devastation denounced against others; when the arms are demanded of the inhabitants, and hostages required, in effect, to surrender their liberties; when General Howe, by proclamation, under the threat of military execution, has forbid the inhabitants of Boston to leave the Town without his permission first had and obtained in writing: when, by another proclamation, he strictly forbids any person's bringing out of that place more than five pounds sterling of their property in specie, because, truly, the Ministerial Army under his command may be injured by it; and when, by a third Proclamation (after leaving the inhabitants no alternative) he calls upon them to take arms, under officers of his appointing — it is evident that the most tyrannical and cruel system is adopted, for the destruction of the rights and liberties of this Continent, that ever disgraced the most despotick Ministry, and ought to be opposed by every means in our power,

I therefore desire that you will delay no time in causing the seizure of every officer of Government at Portsmouth, who have given pregnant proofs of their unfriendly disposition to the cause we are engaged in; and when you have seized them, take the opinion of the Provincial Congress or Committee of Safety in what manner to dispose of them in that Government. I do not mean that they should be kept in close confinement. If either of those bodies should incline to send them to any of the interior Towns, upon their parole not to leave them till released, it will meet with my concurrence.

For the present I shall avoid giving you the like order in respect to the tories in Portsmouth; but the day is not far off when they will meet with this or a worse fate, if there is not a considerable reformation in their conduct. Of this they may be assured.

Sir, your most obedient servant

GEORGE WASHINGTON.

To General Sullivan.

[Same to William Palfrey, Esq., Portsmouth.]

Another Letter from Dr. Hall Jackson.

[Copied from MS. State Pap., Vol. II., p. 173.]

[No date.]

To the Hon^ble^ President and Members of the New Hampshire Congress:

GENT'N —

It having been insinuated that I have been absent from the army a considerable part of my time since my first entering, I beg leave humbly to inform the Congress that arrived at the army 19^th^ of June, I tarried until the 29^th^, when not having a shift of cloathing, I inform General Folsom that I purposed going home; he positively refused it and insisted upon my tarrying, as the small pox was in the army and not one of his surgeons had had the disease; however on my promise to return in a few days he consented, having first stoped my whole chirurgical aparatus for his son Adams, who (as well as every other surgeon in the New Hampshire Regiment) was at that time even destitute of a needle to ligate a bleeding vessell. The Congress desired me, when at Exeter, to procure some proper person to mount some field Pieces, which I endeavoured to do, but could not; I therefore took a drawing of every member of a field carriage; when I arrived at Portsm^o^ I

employ'd myself every day, from sun-rising to sun-setting in mounting the Brass field Pieces, which are as well executed as any one on the Continent. On the 13th of July I return'd to the army, and have never been absent but eight days, on command, to recrute the Medical chest, which I did at Salem and Portsmouth. I have now been home fifteen days, my whole time has been taken up in laying out fortifications at Kittery and New Castle, in making Cartridges, Cannisters and Port Fires for the field Pieces; in raising and exercise the Artillery Company, in hearing and administering to the innumerable complaints of the soldiers in regard to their health.

The Honbie Congress will please to observe that I first perform my Business, then ask for such a reward as they shall judge reasonable; while others conscious of their own inabilities, would not venture their performances on the same issue, but insist on large and remarkable stipends before they enter the service.

If there is the least objection in Congress to grant me the Commission I ask'd for, I am so little anxious to continue in the service that I beg leave to retract my request.

I solemnly declare that I have never received but one shilling and four pence, and have not charged more than twenty shillings since the 17th day of June, tho' my accounts for seven years past have never been less than £330 lawfull money.

H. Jackson.

Letter from Hon. Josiah Bartlett &c. To the Committee of Safety.

[Copied from MS. State Pap. Revn, Vol. II., p. 199.]

Philadelphia, Novr 13th, 1775.

Gent'n

Enclosed I transmit to you the Letter directed to the Speaker of our House of Assembly; I suppose it came from England, sent by the agents who presented the late Petition of Congress. By it you will be able to guess what will be the fate of that Petition. I also send you a Duplicate of the vote of Congress concerning our civil affairs, the first copy of the vote was sent Novr 6th (1).

Yesterday Capt. Langdon set off on his journey to Canada, so that I am left here alone to act in Behalf of our Colony. I don't expect him here any more During this Session of the Congress. When the Congress will rise I can't say, But fear it can't till winter, if it can before Spring.

The affair of the ships taken at Portsmouth has not been considered by Congress, by reason of urgent Business; But I expect soon, that that & several other captures will be taken under consideration & some General Rules adopted; when any thing is Determined on it, will inform you by the first opportunity.

I am Directed by the Congress to send you the Inclosed Resolves for making salt petre, and I would earnestly Recommend the putting them in practice. It appears from several Experiments in this Colony that the surface of the Earth that has been for some years kept from the rain will produce Salt Petre. The floor of a meeting-house being taken up, the Earth under it produced one pound from every Bushel: under Barns, Stables, &c. much more. There appears to be no more art in making it than in making pot ash; when the liquor is properly Boiled and put into Pans to cool, it shoots & sticks to the Bottom & sides very Beautifully. The Liquor may then be easily Drained off and either Boyled over again or put on another mash.

(1) See *ante*-pages 641-3.

Tho' probably the Continent will be well supplied with Powder in the Spring, yet it is best by all means to put it out of the power of our enemies to Defeat us of that necessary article, by supplying ourselves, and if we have a double or Treble Quantity it will be no Damage, and in future save our Cash from being sent abroad after it.

I am, Gentlemen your friend & Humble servt

JOSIAH BARTLETT.

The Committee of Safety
of New Hampshire.

Letter from Portsmouth Committee of Safety, on compensating Dr. Hall Jackson.

[Copied from MS. State Pap., Vol. II., p. 201.]

Committee Hall, Portsmo 13 Novr. 1775.

To the Honble Congress for the Colony of New Hampr.

GENTn — On the Representation of the Delegates for this Town (representing the Inhabitants in Congress) That a motion being made, We should take under consideration a recompence for Doct. Hall Jackson's services as surgeon to the army at Head Quarters, do in consequence thereof beg leave to inform the Congress, That on the News arriving in this Town of the Battle at Charlestown in June last, and being well informed that a Gentleman of known abilities in Surgery was much wanted, did immediately apply to Dr. Jackson, and intreated his setting off for the Camp, without delay to assist any distressed officers or soldiers that might be unfortunately wounded; Whereupon he express'd a Readiness, and observed that he would at our request proceed without delay & trust to a future day for reward. We therefore take the liberty to Represent that Dr. Jackson sett off the 19th June on the purpose aforesd, and was continued in that service till 17th October excepting about three weeks at different times he was in this Town to visit his Family (in which time he was constantly employed in constructing Carriages and mounting Sundry field pieces) for which services this Committee (with defference to the Honble Congress) adjudge that an allowance of Fifteen pounds Lawful money pr. month for all his services and Expences during the time aforesaid.

By order of the Committee.

H. WENTWORTH, Chairman.

Voted, That a committee of Three persons be chosen to Examine the several Committees accounts and make report to this Congress as soon as may be, and That John Dudley, Esqr Capt. Peirce Long & Nathaniel Bacheller Esqr be the sd Committee.

Voted, That Capt Joseph Spencer be Second Major of Colo Timothy Walker's Regiment of minute men In the room & stead of Major Benjamin Goold who hath resigned.

Voted, That the several sums advanced by the members of this Congress for the use of this Colony be added to the Pay roll and Lodged with the Treasurer for payment.

Voted, That the members of this Congress be paid for Sundays & Travel according to the method of the late Generall Assembly; and that the members of the late General Assemblys be paid in the same manner.

Adjd to Munday the 13th, 2 o'clock P. M.

[p. 122] Nov^r 13, 1775. In Congress at Exeter.

The following votes were passed Nov^r 7^th^ 1775, but not then Enter'd, viz.

Voted that Nicholas Gilman Esq. Nathaniel Rogers & Benjamin Giles, Esq., be a committee to Examin & Audit the accounts of the Committee of Supplies and make report thereon as soon as may be — and also to audit & Examin the accounts of the Committee appointed to procure Fire arms & report thereon as soon as may be.

Voted, That it be recommended to the several Taverners & Retailers in this Colony to render an account on oath, of all Liquors sold by them respectively (for which Excise has been usually paid) to the Selectmen of their respective Towns, Parishes or Precincts, from the first Tuesday in November 1774 to the first Tuesday in November 1775, and Pay said Selectmen said Excise at the same rate as for several years past has been paid in this Colony. And the several Selectmen are desired to be careful in collecting and returning the same to the Receiver General of this Colony. And the receiver General is directed to allow said selectmen Five per cent out of said money as a reward for their service. And all selectmen are Desired, if any person or persons whom they know to have sold Spirituous Liquors, refuses to pay his, her or their Excise as aforesaid, to return his, her or their name or names to the receiver Generall.

Voted, That one hundred & sixty hand bills to contain the above vote be forthwith Printed and Dispersed to the several Towns, Parishes & Precincts in this Colony.

Voted, That every Deserter from any Corps in the Forces raised by this Colony for the Continental Army, be apprehended by the Committees of the respective places where they may be found & convey'd by them to Head Quarters at Cambridge as soon as may be.

The following vote was passed Nov^r 9^th^, but not Enter'd in its proper place, viz.

Voted, That the Hon^ble^ Meshech Weare, Esq. William Whipple, Richard Downing, John Dudley, Timothy Walker, Esq^rs^ Ebenezer Thompson, Ebenezer Smith & Deacon James Knowles, Wyseman Claggett Esq^r^ Jonathan Martin & Capt Caleb Page, Samuel Ashley & Benjamin Giles Esq^r^ and Israel Morey Esq^r^ & Abel Webster be a Committee to Frame & bring in a Plan for the future Representation of the People of this Colony.

Voted, That Capt. John Demeritt be first Major of the second Regiment of Militia in this Colony and Capt. Moses Yeaton second Major.

[p. 123.] The following votes were passed Nov. 10^th^ but not Enter'd in the proper place, viz:

Voted, That there be forthwith enlisted in the service of this Colony for the defence & Security of the Harbour of Piscataqua and the Fortresses there, Eight hundred men (officers included) to be Divided into Eight companys, and officer'd with one Captain, Two Lieutenants and one Ensign to each company, and to remain in the service two months, unless they or any number of them be sooner Discharged by the Congress or Committee of Safety. And that they be under the command of the Field officers now there, viz. Col° Joshua Wingate, Lieut. Col° Jonathan Burnam, and Major James Hackett.

And that Major Stephen Clark of Epping, Capt. Caleb Hodgsdon of Dover, Capt. ——— Parsons of Rye, Capt. Henry Elkins of Hampton, Major Peter Coffin of Exeter, Capt Jacob Webster of ———, Moses Baker of Candia, and Capt. David Copp of Wakefield, be the Captains of the said Eight companys, and that Capt. Baker's Two Lieutenants be in Londonderry regiment, provided they raise half the Company or 48 men.

That orders be given to the Captains to Enlist said Company in the following Form, viz.:

In Congress at Exeter, Nov^{r}, 1775.

To ——— ———

Sir — You are hereby Impower'd Imediately to Enlist a company to consist of Ninety six able bodied Effective men well accoutred with arms & Blankets &c. Including Sargeants & Corporalls, as soldiers in the New Hampshire service for the Defence of Piscataqua Harbour, for the term of Two months, unless Discharged sooner. And you are hereby informed, you shall be Entitled to the Command as Captain of said Company when Raised, and to Nominate Three persons to serve as subalterns under you, and that both officers & soldiers shall be paid the same wages as the Continental Troops are, Exclusive of Coats & Blanketts; and that the soldiers sign the following Enlistment, viz.

We the subscribers Do severally Enlist ourselves as soldiers in the New Hamp^{r} service for the Defence of Piscataqua Harbour for the term of Two months, unless Discharged sooner, and we hereby Promise to submitt ourselves to all the orders & regulations of the army, and faithfully to observe & obey all such orders as we shall receive from time to time from our officers.

[p. 124.] November 13th 1775.

The Congress met according to adjournment.

Upon a motion made for considering the matter & form of Representation in this Colony in Future.

Voted that the consideration of that matter be put off till tomorrow.

Voted, That the wages of the Committee of Supplies employ'd by this Congress be now established, and that it be four shillings per day each. Reconsidered 14th.

Voted, That the Committee of Safety be paid six shillings per day besides all their expences in the recess of the Congress.

Voted, That the Committee for procuring Fire-arms lay their accounts before this Congress for allowance.

Voted, That Mr. President Thornton, Mr. Secretary Thompson, Col. Sam[l] Hobart, John Dudley, Esq., Col. Whipple, Benj[a] Giles Esq, Gen. Folsom, Mr. Cragin, Col. Walker, Mr. Prentice, Col. David Gilman, Col. Morey, Deacon Knowles & Ebenezer Smith, Esq. be a Committee to prepare a Plan for Representation of the People of this Colony in Future, & lay it before the Congress

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Nov. 14[th].

Voted, That the votes of yesterday respecting the wages & pay of the Committee of Supplies & the Committee of Safety, be considered null & void.

Voted, That Doctor Hall Jackson be paid out of the Public Treasury of this Colony in full for his good services to this Colony from the Nineteenth day of June last to the Fourth of August last the sum of Fifteen Pounds per month — and that he receive a Commission from this Congress as Chief Surgeon of the New Hampshire Troops in the Continental Army.

Voted, That a Committee of this House, viz. John Dudley, Esq. Benjamin Giles Esq. Ichabod Rawlins, Esq. Capt. Moulton & Mr. Sparhawk, be appointed to take under consideration the Behaviour of Samuel Dyer, a Person complain'd of as an Enemy to this Country, and make report to this Congress tomorrow morning.

Voted, To appoint officers for the Artillery Company at Portsmouth, and that Capt. George Turner be Captain of said Company.

Voted, That Capt. Shadrach Hodgdon's account for Stakes for the Batteries &c. amounting to four Pounds be allow'd & paid by the Committee of Supplies.

Voted, That Capt. Ephraim Weston's account for services done for this Colony in the year 1773, amounting to thirty three shillings be allowed & paid out of the Publick Treasury.

[P. 125.] The Committee appointed to Report a Method for Representation begg Leave to lay the following Plan before the Congress, viz.

That every Legal Inhabitant Paying Taxes shall be a voter.

That every Person Elected shall have a Real Estate in this Colony of the value of Two hundred Pounds lawful money.

That no person be allowed a seat in Congress who shall by themselves, or any Person at their Desire Treat with Liquors &c. any Electors with an apparent view of gaining their Votes, or by Treating after an Election on that Account.

That the Towns, Parishes & Places in this Colony be represented as Follows, viz.

Portsmouth,	Three	Chester	Two
Hampton	one	Candia,	one
Northampton	one	†Raymond & Poplin	one
Exeter	Two	Brentwood	one
Londonderry	Two	†Hampton-falls & Seabrook	one
New Castle	one	Nottingham	one
Rye	one	†Deerfield & Northwood	one
†Kingston & East Kingston	one	†Canterbury & Loudon	one
Sandown & †Hawke	one	Chichester	
Greenland	one	†Epsom & Allenstown	one
Newington	one	Pembroke	one
Stratham	one	Wyndham	one
New Market	one	Bow & †Dunbarton	one
Southampton & Newtown	one	Concord	one
Kensington	one	Epping	one
†Plastow & Atkinson	one		—
Hampstead	one	In Rockingham	38
Salem	one		
Pelham	one		

Dover	Two	Leavittstown	
Madbury	one	†Wakefield & Middleton	one
Durham	one		
Lee	one	†New Durham	
Summersworth	one	the Gore & Wolfeborough	one
Barrington	one		
†Gilmanton & Barnstead	one	†Moultonboro'	
†Sanbornton & Meredith	one	Sandwich & Tamworth,	one
Rochester	one		—
		In Strafford,	13

Amherst	Two	New Ipswich	one
Litchfield & †Nottingham W	one	†Boscawen & Salisbury	one
Dunstable	one	Temple &	
Hollis	one	†Peterborough	one
†Merrimack & Bedford	one	†Wilton & Lyndeborough	
Derryfield & †Goffstown	one	Mile Strip & Duxbury Farm	one
Weare	one	†Mason &	
Hopkinton	one	Raby	one
Henneker		New Britton	
†Dearing		†Warner	
Hillsborough & Society land	one	Perrystown & Fisherfield	one
Francestown & †New Boston	one		
			—
		In Hillsborough	17

†Rindge Jaffrey & Peterboro' Slip	one	Keen Westmoreland Walpole	one one one
†Dublin & Monadnock No. 5	one	Charlestown †Cornish Plainfield	one
Packersfield †Stoddard Washington Gilsom	one	Protectworth & Grantham Claremont	one one
Marlow Surry & Alstead	one	†Unity Acworth Lempster	
Hinsdale & †Chesterfield	one	Savill Croydon & Newport	one
Winchester	one		
Richmond	one		—
Swanzey & Fitzwilliam	one	In Cheshire	15

New Chester †Plimouth Cockermouth Alexandria	one	†Haverhill Bath, Lyman Gunthwait	one
Romney Holderness †Campton & Thornton	one	Landaff & Morristown Apthorp †Lancaster	
Lebanon †Hanover Relhan Canaan Cardigan & Grafton	one	Northumberland Stratford Cockburn Colburn Conway Shelburne	one
Lyme †Orford Dorchester Wentworth Piermont & Warren	one	And the Towns above In Grafton	— 6

Rockingham	38	Cheshire	15
Strafford	13	Grafton	6
Hillsborough	17		—
		Total	89

[p. 126.] That Precepts signed by the President of this Congress, be sent to the Selectmen of each Town Named in this List singly to be represented, to Elect & choose a Person to Represent them in Congress to Meet at Exeter on the Twenty-first day of December next; also to the Town or Parish marked † where Towns or Parishes are classed together, To Notify the several Towns or Parishes in their respective Classes to meet at the most convenient Place in their Town or Parish to accommodate the whole Electors, To choose some person Qualified to Represent them as aforesaid: And all Selectmen are directed to give the Electors fifteen days Notice of the time and occasion of meeting. Said Members when met to set in Congress as often and so long as they shall judge requisite for Acting the Publick Business of this Colony: And to be Impowered by their constituents to Prosecute such measures as they may deem Necessary for the Publick good, During the Term of one year from their first meeting, Unless they shall see fit to Dissolve themselves sooner.

And in case there should be a recommendation from the Continental Congress for this Colony to Assume Government in any way that will require a [P. 127.] house of Representatives, That the said Congress for this Colony be Impowered to Resolve themselves into such a House as may be recommended, and remain such for the aforesaid Term of one year.

And it is further Recommended, That each Town or Parish who sends a Member to said Congress Pay him for his attendance, and where Towns or Parishes are classed together in their choice, that they pay their member in the same proportion as they pay Province Taxes. All the pay for their Travel to be paid out of the Colony Treasury.

Which Plan of Future Representation being read, understood and considered in Congress, Voted, That the same be accepted & made a Resolve of this Congress and entered accordingly.

Nov^{r} 15th.

The President being absent,

Voted, That the Hon^{ble} Meshech Weare be President Pro tempore of this Congress.

Voted, That the thanks of this Congress be presented to the Hon^{ble} Matthew Thornton Esq^{r} for his able & Faithfull conduct as President of this Congress.

Voted, That Col^{o} David Gilman's account amounting to Twenty seven shillings for services done by order of Congress, be allowed & paid out of the Publick Treasury.

Voted, That the Rev^{d} Mr. Woodbridge Odlin be paid out of the Publick Treasury Fifty shillings Lawful money for his good services in attending & praying with this Congress.

Voted, That the Carpenters Employed by Capt. Worthen in conjunction with the Committee of Portsmouth be paid wages according to their agreement.

Voted, That the Hon^{ble} Matthew Thornton Esq^{r} be paid out of the Publick Treasury six Pounds L'my for his time & Trouble in going to Cambridge and attending the Grand Council there.

Voted & Resolved, That it is the opinion of this Congress, That Samuel Dyer ought to confine himself to his present place of abode in Berwick and that it will not be prudent for him to be allow'd to Pass & repass in this Colony at present.

Voted, To add two persons to the Committee for auditing the acc^{ts} of the Com^{tee} for Procuring fire arms, and that David Gilman & John McClary Esq^{rs} be of that committee, and that said Committee make a final settlement of said Accounts.

[P. 128.] Voted, That a committee of three Persons be chosen to carry into Execution the Resolve of the Hon^{ble} Continental Congress at Philadelphia, of Thursday the 26th of October last respecting Exporting to the Foreign West Indies, Provisions &c.

for the Purpose of importing Arms, Ammunition, Sulphur & Saltpetre, and that Capt. Pierce Long, Samuel Cutts & Samuel Sherburne, Esqr[s] be the Committee for that Purpose, and that a sum not exceeding Two thousand Pounds be Employ'd (for Cargo) for the said Purposes at the Proper Risque of this Colony; And that the said Committee have leave to send, if they think Expedient to any Foreign Port for the said commodities.

Voted, That Col. Evans, Mr. Sherburne & Mr. Cutts be a committee to wait on General Sullivan, (now in Town), and inform him that at his request this Congress is ready to hear him.

Voted, That a vote of this Congress of the 10[th] inst. of June last respecting Town officers be forthwith printed in hand-bills and distributed to the several Towns and places in this Colony.

The subject matter of the Petition of Mark Duty being heard & considered by a Committee of this House, (viz. Benj[a] Brown, Joseph Bartlett, Abraham Page, Zaccheus Clough & David Lawrence) The said Committee made report that the Cow in question be restored to the Petitioner, and the Committee of Safety of Wyndham had no Power to try the case, & therefore it ought to stand Dismist, and that no cost be paid on either side; which report being read & considered,

Voted, That the same be accepted & passed into a Resolve of this House.

The Committee of this house, viz. Nathaniel Balch, David Lawrence & Samuel Dudley Esq[r] Abel Webster, James Knowles, Benjamin Brown, John Cragin, Samuel Chase Esq[r] & Capt. Caleb Page, being appointed to examine into the subject matter of the [p. 129.] complaint of a Number of the Trained Soldiers in East Kingston, against Liet. Col. Gale for undue measures taken in the appointment of the officers of the Militia there; Having heard the said parties, Report thereon, That the Proceedings of Col. Gale with respect to the warning & his proceedings in the choice of their officers in that Company was Illegal and not agreeable to the resolves of the Congress in that respect, and that the said Company ought to have the Benefit of a new choice of officers—which report being read and considered:

Voted that the same be accepted and Pass into a Resolve of this House.

Voted, That the thanks of this House be given to his Excellency Gen[l] Washington for his early care & Notice taken of this Colony in sending Gen[l] Sullivan & other assistance to us when we were in great Fear & Distress.

Voted, That the Committees of Safety or of Correspondence in each Town or Parish in this Colony be desired to Transmitt to the Congress or to the Committee of Safety for this Colony, the names & places of abode of all such Persons as they suspect to be any ways inimical to this Country, with the causes and Evi-

dence of such suspicion; and That this vote be Printed in handbills & Dispersed through this Colony.

Voted, That the Committee of Safety appointed by this Congress Be and Remain a Committee of Safety for this Colony, And that they or the Major part of them Act in the same manner and with the same Authority as heretofore, untill the sitting of the Next Congress or Generall Assembly of this Colony.

Voted, That the Committee of Safety attend General Sullivan at Portsmouth on Tuesday next to take under their consideration such matters and things as he shall lay before them.

Voted, That the officers & soldiers in the service of this Colony, in the Continental Army, be paid off, up to the Fourth day of August last, and Col° Sam^l^ Hobart & Col° Timothy Walker be Paymasters for that purpose.

[P. 130.] Whereas sundry Persons hereafter named have at the motion of General Sullivan by vertue of orders from his Excellency General Washington, in consequence of the Resolves of the Hon^bl^ the Continental Congress, been called before a Committee of this Congress, on suspicion of their being inimical to this Country & the Cause of Liberty Now contending for,— Which Committee having made Report thereon to this Congress, It is thereupon Voted and Resolved by this Congress:—

1^st^ That John Parker Esq^r^ is a Friend to this Country and is Accordingly set at full Liberty.

2^d^ That Isaac Rindge Esq^r^ Remove himself to some place at least fifteen miles from Portsmouth and from the Sea, and not on any occasion leave the Town or Parish where he shall remove to, without Leave of the Congress or Committee of Safety.

3^dly^ That Capt. William Torry remain at New Market and not on any occasion leave the said Town or Parish without Leave from the Congress or Committee of Safety.

4^ly^ That Mr. William Hart remove himself Fifteen miles from Portsmouth and from the Sea, and not on any occasion Leave the Town or Parish he shall remove to, without leave of the Congress or Committee of Safety.

5^ly^ That Capt. Nathaniel Rogers confine himself to his own house & Farm in New Market, or if he shall choose to remove himself Twenty miles from Portsmouth and from the Sea, and not on any occasion Leave the Town or Parish he shall remove to, without leave of the Congress or Committee of Safety.

6^ly^ That George Jaffrey Esq^r^ Remove himself Ten miles at least from Portsmouth, and not on any Occasion Leave the Town or Parish he shall remove to, without leave of the Congress or Committee of Safety.

7^ly^ That the Hon^ble^ Peter Gilman Esq^r^ confine himself to the town of Exeter, and not on any occasion Leave the said Town without Leave of the Congress or Committee of Safety.

8th That Mr. Jacob Sheafe junr be Desired to withdraw his Memorial against Edward Sherburne, and that said Sheafe be dismist.

9th That those persons above named who are Enjoined to remove from Portsmouth have twenty days allowed them to remove.

[P. 131.] Voted, That Colo Samuel Hobart be Paid out of the Publick Treasury Ten Pounds for Twenty seven days service in going to Cambridge and mustering and paying off the soldiers there & returning the Muster Rolls.

Voted, That Major Joseph Welch be paid out of the Publick Treasury eight Pounds for his service in attending Colo Hobart on the above said services, and also twenty shillings for his services in going to Portsmouth.

Voted, That Mr. Nathaniel Rogers be paid out of the Treasury Twenty shillings for his services in settling accounts as a committee man.

Voted, That the thanks of this Congress be given to Major Welch for his care in raising Troops & forwarding them to Portsmouth.

Voted, That Ebenezer Tibbitts be second Major of Colo Evans' Regiment.

Voted That the Commissions for the Major of the first Regiment of Militia in this Colony be not given out until the next Congress or Convention.

Voted, That Colo Evans be paid the ballance of his account amounting to Thirty six shillings out of the Publick Treasury.

Voted, That Joshua Wiggin be paid his account as Door keeper & Messenger of this house amounting to Five pounds & two shillings, out of the Publick Treasury.

Voted, That Colo Samuel Hobart's account amounting to Eleven pounds Eighteen shillings, be allowed & paid him out of the Publick Treasury.

Voted, That Colo Evans be allowed & paid out of the Treasury. the ballance of his acct for fire-arms, amounting to Twenty four shillings & eight pence half penny.

Voted, That Colo Jeremiah Folsom be allowed & paid out of the Treasury the ballance of his account for fire-arms amounting to Three pounds seven shillings two pence and one farthing.

Voted, Mr. Edward Parsons be allow'd & paid out of the Publick Treasury, his account amounting to Thirty seven shillings & six pence.

Whereas it has been represented to this Congress that Doubts have arisen in the minds of some persons respecting those who have been in the usual and very reasonable method pointed out in the Law of this Province, chosen to conduct the affairs of Towns;

and also connected with it, whether Taxes granted by Towns or by their representatives in Congress should be collected & paid as usual; or in what manner selectmen, Constable &c. should proceed; The Congress having taken the above into consideration, [p. 132] Do Recommend to All Towns, That with regard to all those who have been in the usual reasonable manner chosen into any offices in Towns, They should as formerly be considered as the proper officers; Also, that Towns, Selectmen, Constables and other officers Proceed in the usual manner in granting monies, assessing the Inhabitants and collecting any assessments and discharging any other matters belonging to them or any of them. Unless where some Particular direction of this or the General Congress shall Interfere.

We trust the good people of this Colony will readily comply with this Recommendation and particularly that they will cheerfully pay the Constables & Collectors; But if any Enimical to their country or inattentive to the Ruin which must Ensue upon a contrary conduct, should refuse, we trust that all the Friends of their country will effectually strengthen the hands of the Selectmen, Constables and Collectors.

Voted, That this Congress be and hereby is Dissolved.

Note. [Here follows a Roll of the Delegates or Representatives that composed the Congress, now dissolved. It is a valuable document, as it contains the names of the Delegates of that important Congress, 151 in number from 113 Towns, with the number of miles of travel, the number of days attendance of each member, and the amount each member received. The original has also the *autograph* (receipt) of nearly all the members. — Ed.]

A ROLL

Of the Hon'ble the Delegates or Representatives of the People of the Colony of New Hampshire, convened in Congress begun and held at Exeter in said Colony on the seventeenth day of May, Anno Domini one thousand seven hundred and seventy-five.

	Men's Names.	No. of Miles Travell'd.	Sum due for Travel.	Days of Attendance.	Sums due for Attendance.	Sum advanc'd by each man.		
GRAFTON.								
Haverhill	John Hurd, Esq.	250	£2: 1: 8	6	1: 10: 0	.....	3: 11: 8	John Hurd.
	Capt. Ephraim Weston	1250	10: 8: 4	59	14: 15: 0	.....	25: 3: 4	Ephraim Weston.
Hanover	Mr. John Wheelock	720	6: 0: 0	15	3: 15: 0	0: 3: 0	9: 18: 0	Received for Sam'l Wheelock, Sam' McClure.
Bath	Timothy Bedel, Esq.	520	4: 6: 8	7	1: 15: 0	.....	6: 1: 8	Timo. Bedel.
Cockermouth	Samuel Hazeltine	340	2: 16: 8	4	1: 0: 0	.....	3: 16: 8	Rec'd for Sam'l Hazeltine, Abel Webster.
Thornton	Capt. Matt'w Thornton	164	0: 19: 0	11	2: 15: 0	0: 3: 0	3: 17: 0	Rec'd for Matthew Thornton, pr. M. Thornton.
Landaff	Capt. Nath'l Hovey	260	2: 3: 4	4	1: 0: 0	.....	3: 3: 4	Rec'd for Capt. Nath'l Hovey, Ephraim Weston.
Lyme	Jonathan Child, Esq.	1200	10: 0: 0	46	11: 10: 0	0: 3: 0	21: 13: 0	Jona. Child.
Orford	Israel Morey, Esq.	1200	10: 0: 0	58	14: 10: 0	0: 3: 0	24: 13: 0	Israel Morey.
	Mr. Nath'l Rogers	960	8: 0: 0	36	9: 0: 0	0: 3: 0	17: 3: 0	Nath'l Rogers.
Plimouth								
Campton	Abel Webster	800	6: 13: 4	59	14: 15: 0	0: 3: 0	21: 11: 4	Abel Webster.
Rumney & New Chester	Moses Dow, Esq. (Dow is for Plymouth and Rumney only)	160	1: 6: 8	11	2: 15: 0	.....	4: 1: 8	Moses Dow.
Piermont	Capt. Rich'd Young	240	2: 0: 0	15	3: 15: 0	.....	5: 15: 0	Rec'd for Capt. Rich'd Young pr. Israel Morey.
Lebanon	Nehemiah Estabrook	520	4: 6: 8	19	4: 15: 0	.....	9: 1: 8	Nehemiah Estabrook.
Cockburn	Capt. Abijah Learned	240	2: 0: 0	7	1: 15: 0	0: 3: 0	3: 18: 0	Abijah Larned.
Gunthwait	John Young	250	2: 1: 8	2	0: 10: 0	.....	2: 11: 8	
CHESHIRE.								
Winchester	Samuel Ashley, Esq.	570	4: 15: 0	29	7: 5: 0	0: 3: 0	12: 3: 0	Sam'l Ashley.
Walpole	Thomas Sparhawk, Esq	600	5: 0: 0	47	11: 15: 0	0: 4: 2½	16: 19: 2½	Thos. Sparhawk.
Westmoreland	Joseph Helbore	736	6: 1: 8	45	11: 5: 0	0: 3: 0	17: 9: 8	Joseph Hilbore.
Charleston,	William Haywood	666	5: 11: 0	21	5: 5: 0	0: 1: 2	10: 17: 2	Rec'd for M. Haywood, pr Elijah Grout.
Claremont	Oliver Ashley	976	8: 2: 8	33	8: 5: 0	0: 3: 0	16: 10: 0	Oliver Ashley.

ROLL—*Continued.*

	Men's Names.	No. of Miles Travell'd.	Sum due for Travel.	Days of Attendance.	Sum due for Attendance.	Sum advanc'd by each man.		
Keen & Surry....	Timothy Ellis.	704	5: 17: 8	40	10: 0: 0	0: 3: 0	16: 0: 8	Timothy Ellis.
Swansey.....	Samuel Hills.	534	4: 9: 0	37	9: 5: 0	0: 3: 0	13: 17: 0	Sam'l Hills.
Plainfield.....	Francis Smith, Esq.	1196	9: 19: 4	31	7: 15: 0	0: 3: 0	17: 17: 0	Francis Smith.
Rindge.....	Enoch Hale, Esq	422	3: 12: 0	31	7: 15: 0	.....	11: 7: 0	Enoch Hale.
Unity..... Newport..... Croyden.....	Benja. Giles, Esq.	512	4: 5: 4	27	6: 15: 0	.....	11: 0: 4	Benj'n Giles.
Alstead..... Dublin.....	Nat'l Sartel Prentice.	428	3: 11: 4	25	6: 5: 0	.....	9: 16: 4	Nath'l S. Prentice.
Fitz Wm.....	Joseph Greenwood.	544	4: 10: 8	39	9: 15: 0	0: 4: 2	14: 9: 10	Joseph Greenwood.
Cornish.....	Sam'l Chase, Esq'r	1116	9: 6: 0	30	7: 10: 0	0: 4: 2	11: 16: 2	paid.
				47	11: 15: 0	0: 3: 0	21: 4: 0	Samuel Chase
Packersf'd.....	Dr. Nath'l Breed	450	3: 15: 0	27	6: 15: 0	0: 3: 0	10: 13: 0	[Sarg't.
	Eleazar Twitchell	146	1: 4: 4	11	2: 15	.....	3: 19: 4	Received pr. order, Abraham Barrows, Rec'd for Eleazar Twitchell, Joseph Greenwood,
HILLSBORO'								
Amherst.....	Paul Dudley Sargent, Esq.	180	0: 15: 0	4	1: 0	.....	1: 15: 0	Paul Dudley Sargent.
	Moses Parsons, Esq.	450	3: 15: 0	60	15:	0: 3: 0	18: 18: 0	Moses Parsons.
Dunstable.....	Jona. Lovewell, Esq'r.	160	1: 6: 8	17	4: 5	.....	5: 11: 8	Jona. Lovewell
	Joseph Ayers.	320	2: 13: 4	37	9: 5	.....	11: 18: 4	Joseph Eayrs.
	Noah Lovewell	240	1	13	3: 5	.....	4: 5	rec'd in behalf of Noah Lovewell, Joseph Eayrs.
Merrimac.....	Jacob McGaw.	350	2: 19: 2	48	12	0: 4: 2	15: 3: 4	Jacob McGaw.
Holles.....	John Hale, Esq'r.	270	2: 5	9	2: 5	.....	4: 10	Rec'd for Col. Hale pr. order, Sam'l Brooks.
	Dr. Enoch Noyce.	270	2: 5	24	6: 0	.....	8: 5	Rec'd for Dr. Noyes pr. ord'r Sam'l Hobart
	Sam'l Hobart, Esq.	450	3: 15	42	10: 10	.....	14: 5	
Litchfield.....	Wyseman Claggett, Esq.	210	1: 15: 0	27	6: 15: 0	.....	8: 10: 0	Sam'l Hobart.
	Capt. John Parker	210	1: 15	22	5: 10	.....	7: 5	Wyseman Clagett
								Receiv'd pr order from Capt. Parker, pr Theodore Carlton.

Wilton	Jonathan Martin	288	1: 18: 0	28	6: 10: 0			8: 18		paid.
	Jacob Abbot	300	2: 10	32	8: 0	0: 6: 0		10: 16		P'd Jacob Abbot.
New Ipswich	Rev. Stephen Farrar	360	3	18	4: 10	0: 3: 0		7: 14: 2		R'd in behalf of Mr. Farrar, Amos Dakin
	William Shattuck	120	1: 0	17	4: 5			5: 5		Wm. Shattuck.
Nottingham W't.	Abraham Page	350	2: 18: 4	47	11: 15	0: 3: 0		14: 16: 4		Abraham Page.
Boscawen	Henry Gerrish	500	4: 3: 4	43	10: 15: 0	0: 3: 0		15: 1: 4		Henry Gerrish.
Bedford	James Martin	350	2: 18: 4	34	8: 10	0: 3: 0		11: 11: 4		Rec'd in behalf of James Martin, Thomas Willson.
Dunbarton	Capt. Caleb Page	500	4: 3: 4	49	12: 5	0: 3: 0		16: 11: 4		Caleb Page.
Hopkinton	Rev'd Elijah Fletcher	400	3: 6: 8	32	8	0: 3: 0		11: 9: 8		paid in full.
Goffstown	Moses Kelley	350	2: 18: 4	48	12	0: 3: 0		15: 6: 4		Moses Kelley.
Mason	Amos Dakin	580	4: 16: 4	52	13	0: 3: 0		17: 19: 4		Amos Dakin
Salisbury	Matthew Pettingill	120	1: 0	9	2: 5	0: 3: 0		3: 9: 2		Matthew Pettengill.
Lyndesborough	Ephraim Putnam	400	3: 6: 8	46	11: 10	0: 3: 0		14: 19: 8		Paid in full pr order.
Peterborough	William Smith	120	1: 0: 8	9	2: 5	0: 3: 0		3: 8: 8		Paid & Rec'd for Wm. Smith pr. order. Josh Blanchard.
Temple	Rev'd Sam'l Webster	448	3: 14: 8	23	5: 15	0: 4: 2		9: 13: 10		Samuel Webster
	John Cragin, jun.	112	0: 18: 8	17	4: 5			5: 3: 8		John Cragin, jun.
New Boston	Thomas Wilson	500	4: 3: 4	49	12: 5	0: 3: 0		16: 11: 4		Thomas Willson.
Henniker	Timothy Gibson	112	0: 18: 8	2	0: 10	0: 3: 0		1: 11: 8		rec'd pr order pr. Stephen Harriman.
Jaffrey	Henry Coffin	144	1: 4	11	2: 15			3: 19: 0		Rec'd in behalf of H. Coffin. Enoch Hale.
Weare	Samuel Paige	500	4: 7: 6	55	13: 15	0: 3: 0		18: 15: 6		Samuel Paige.
STRAFFORD.										
Dover	Stephen Evans	180	1: 10	49	12: 5	0: 3: 0		13: 18		Stephen Evans.
	Shadrach Hodgsdon	160	1: 6: 8	49	12: 5	0: 4: 2		13: 15: 10		Shadrach Hodgsdon.
Durham	George Frost, Esq	108	0: 18: 0	19	4: 15	0: 3: 0		5: 16		Geo. Frost.
	Ebenezer Thompson, Esq.	286	2: 7: 8	48	12	0: 3: 0		14: 10: 8		Eb. Thompson,
Summersworth	Ichabod Rawlins, Esq.	168	1: 8	38	9: 10	0: 3: 2		11: 2: 2		Ich'd Rollins.
	Capt. James Garvin	230	1: 18: 4	43	10: 15	0: 3: 0		12: 16: 4		James Garvin.
Madbury	John Wingate	180	1: 10	35	8: 15	0: 3: 0		10: 9: 2		John Wingate.
Lee	Joseph Sias, Esq.	162	1: 7	30	7: 10	0: 3: 0		9: 0: 0		Joseph Sias.
	Smith Emerson	30	0: 5	5	1: 5	0: 3: 0		1: 13: 0		Smith Emerson.
Rochester	Dea. James Knowles	200	1: 13: 4	48	12:	0: 4: 2		13: 17: 6		James Knowles.
	John McDuffie	104	0: 17: 4	18	4: 10	1: 2		5: 8: 6		John McDuffie.
Barrington	Samuel Hayes	210	1: 16: 8	40	10	1: 2		11: 17: 10		Samuel Hayes.
Gilmanton	Antipas Gilman	400	3: 6: 8	53	13: 5	0: 3: 0		16: 14: 8		Antipas Gilman.
Meredith	Ebenezer Smith, Esq.	416	3: 9: 4	31	7: 15	0: 3: 4		11: 7: 8		Ebenezer Smith.
Wakefield	Nathaniel Balch	500	4: 3: 4	55	13: 15	0: 3: 0		18: 1: 4		Nath'l Balch.
Wolfeborough	Moses Ham	120	1	4	1			2: 0: 0		received by order of Mr. Ham, Step'n Evans.
Moultonboro'	Adam Brown	130	1: 1: 8	3	0: 15	0: 3: 0		1: 19: 8		received for Adam Brown Dec'd pr. Jacob Brown.
Sanbornton	Daniel Sanborn Esq'r.	408	3: 8	37	9: 5	0: 3: 0		12: 16		Dan'l Sanborn.
Conway	Capt. David Page	326	2: 13: 4	19	4: 15			7: 8: 4		Paid.

ROLL — *Concluded.*

	Men's Names.	No. of Miles Travell.d.	Sum due for Travel.	Days of Attendance.	Sums due for Attendance.	Sum advanc'd by each man.		
ROCKINGHAM.								
Portsmouth..	William Whipple Esq	308	2: 11: 4	47	11: 15	0: 3: 0	14: 10 6	Wm. Whipple.
	William Pearn	84	14	9	2: 5	0: 3: 0	3: 2	Pierce Long for Wm. Pearn.
	Samuel Cutts, Esq.	280	2: 6: 8	40	10	0: 4: 2	10: 6: 2	Sam'l Cutts.
	Samuel Sherburne, Esq	280	2: 6: 8	35	8: 15	0: 4: 2	11: 5: 10	Sam'l Cutts, in behalf of Sam'l Sherburne
	Capt. Pierce Long.	252	2: 2	32	8:	0: 4: 2	10: 6: 2	Sam'l Cutts, for Capt. Pierce Long.
Exeter..	Nathaniel Folsom, Esq'r			45	11: 5: 0	0: 7: 2	11: 11: 2	Nath'l Folsom.
	Enoch Poor, Esq'r.			16	4	0	4: 0: 0	Received pr. order Jedediah Jewett.
	Nicholas Gilman, Esq.			42	10: 10	1: 2	10: 11: 2	paid.
	Noah Emery, Esq'r.			36	9		9	Noah Emery.
	Dr. Samuel Brooks.			33	8: 5		8: 5	Sam'l Brooks.
Londonderry....	Hon'ble Matthew Thornton, Esq.	200	1: 13: 4	45	11: 5	0: 3: 0	13: 1: 4	Matthew Thornton.
	James McGregore, Esq.	160	1: 6: 8	24	6: 0	0: 3: 0	7: 9: 8	James MacGregor
Hampton	Capt. Josiah Moulton	176	1: 9: 4	49	12: 5	0: 3: 0	13: 17: 4	Josiah Moulton.
	Josiah Moulton, 3d.	70	0: 11: 8	26	6: 10	0: 3: 0	7: 4: 8	Jos. Moulton, 3d.
Hampton Falls..	Hon'ble Meshech Weare, Esq.	84	14	22	5: 10	0: 3: 0	6: 7	Meshech Weare
	Rev. Pain Wingate	36	8	6	?		1: 16	Meshech Weare, in behalf of Mr. Wingate.
Kingston and Hawke.	Josiah Bartlett, Esq.	84	14	29	7: 5	0: 3: 0	8: 2	Josiah Bartlett.
Kingston.	Samuel Philbrick	32	5: 4	18	4: 10		4: 15: 4	Sam'l Philbrick.
Hawke.	Rev. John Page	60	10	15	3: 15		4: 5	John Page.
Newington.	Richard Downing, Esq.	300	2: 10	35	8: 15	0: 3: 0	11: 9: 2	Rich'd Downing.
	Samuel Fabyan.	252	2: 2	32	8	0: 3: 0	10: 6: 2	Sam'l Fabyan.
Greenland.	Clement March, Esq.	180	1: 10	16	4		5: 10	Clem't March.
	William Weeks, Esq.	144	1: 4	33	8: 5	0: 7: 2	9: 16: 2	Wm. Weeks.
	Capt. Nathan Johnson.	144	1: 4	33	8: 5	0: 0: 2	9: 10: 2	Nathan Johnson.
Rye.	Samuel Knowles.	264	2: 4	47	11: 15	0: 3: 0	14: 2	Samuel Knowles.
	Nathan Goss.	168	1: 8	23	5: 15	0: 3: 0	7: 8	Nathan Goss.
Stratham.	Dr. Stephen Boardman.	132	1: 2	40	10: 0	0: 3: 0	11: 6: 2	Stephen Boardman.
	Samuel Lane, Esq.	88	0: 14: 8	48	12	0: 3: 0	12: 18: 10	Samuel Lane.
Newmarket....	Jeremiah Folsom, Esq.	220	1: 16: 8	49	12: 5	0: 3: 0	14: 4: 8	Jeremiah Folsom.
	Edward Parsons, Esq.	80	13: 4	42	10: 10	0: 4: 2	11: 7: 6	Edw'd Parsons.
Epping.	Rev. Josiah Stearns	176	1: 9: 4	51	12: 15	0: 3: 0	14: 7: 4	Josiah Stearns.
	David Lawrence, Esq.	112	0: 18: 8	35	8: 15	0: 3: 0	9: 16: 8	David Lawrence.

Brentwood	Samuel Dudley Esq'r.	110	0: 18: 4	49	14: 5	0: 3: 0	15: 6: 4	Sam'l Dudley
	William Morrill	140	1: 3: 4	34	8: 10	0: 3: 0	9: 16. 4	William Morrill.
Poplin	Stephen Sleeper	180	1: 10	39	9: 15	0: 3: 0	11: 8	Stephen Sleeper.
	Zach's Clough, Esq.	100	16: 8	22	5: 10		6: 6: 8	Zach's Clough.
Northampton	David Marston	140	1: 3: 4	39	9: 15	0: 3: 0	11: 1: 4	David Marston.
	Abraham Drake, Esq	144	1: 4: 0	32	8	0: 3: 0	9: 7: 0	Abraham Drake.
Southampton	Dr. Benjamin Brown.	176	1: 9: 4	51	12: 15	0: 3: 0	14: 7: 4	Ben'a. Brown.
Seabrook	Henry Robie.	140	1: 3: 4	39	9: 15	0: 3: 0	11: 1: 4	Henry Robie.
Kensington	Ezekiel Worthen.	98	0: 16: 4	22	5: 10	0: 3: 0	6: 9: 4	Ezekiel Worthen.
Sandown	Jethro Sanborn.	234	1: 19	43	10: 15		12: 14	Jethro Sanborn.
Chester	Stephen Moss.	200	1: 13: 4	47	11: 15	0: 3: 0	13: 11: 4	Stephen Morse.
	Robert Willson.	280	2: 6: 8	42	10: 10	0: 4: 2	13: 0: 0	Rob't Wilson.
Candia	Samuel Mooer, Esq.	220	1: 16: 8	60	15	0: 3: 0	17: 0: 10	Sam'l Mooers.
Raymond	John Dudley, Esq'r.	180	1: 10	60	15	0: 3: 0	16: 14: 2	John Dudley.
Nottingham	Joseph Cilley, Esq.	96	0: 16	15	3: 15	0: 4: 2	4: 15: 2	Jos. Cilley.
	Thomas Bartlett, Esq.	264	2: 4	49	12: 15	0: 3: 0	14: 13: 2	Tho's Bartlet.
Deerfield	Rev'd Timothy Upham	200	1: 13: 4	46	11: 10	0: 3: 0	13: 6: 4	Rev'd Timothy Upham.
Northwood	Sherburne Blake	150	1: 5	13	3: 5	0: 3: 0	4: 13	Sherburn Blake.
Epsome	John McClary, Esq.	192	1: 12	35	8: 15	0: 4: 2	10: 11: 2	John McClary.
Chichester	John Cram	360	3: 0	34	8: 10	0: 3: 0	11: 13	Received in behalf of Capt. Cram, Daniel Tilton.
Canterbury	Rev. Abiel Foster	400	3: 6: 8	57	14: 5	0: 4: 2	17: 15: 10	Abiel Foster.
	Jeremiah Clough	160	1: 6: 8	14	3	0: 4: 2	5: 0: 10	Receiv'd pr order for Mr. Clough, Thomas Clough.
Loudon	Nathan Batchelder, Esq	400	3: 6: 8	47	11: 5	0: 3: 0	15: 4: 8	Nathan Bachelder.
Concord	Timothy Walker, jr. Esq.	400	3: 6: 8	44	11:	0: 4: 2	14: 10: 10	Tim'o Walker, jr.
Pembrook	David Gilman, Esq'r	300	2: 10	58	14: 10	0: 4: 2	17: 4: 2	David Gilman.
Bow	Benjamin Noyes.	270	2: 5: 4	29	7: 5	0: 3: 0	9: 13: 4	Benjamin Noyes.
Atkinson	John Webster, Esq.	128	1: 1: 4	21	6: 10?	0: 3: 0	6: 9: 4	Rec'd for John Webster, Daniel Poor.
	Daniel Poor.	160	1: 6: 8	35	8: 15	0: 3: 0	10: 4: 8	Daniel Poor.
E. Kingston	Nathaniel Batchelder, Esq.	154	1: 5: 8	45	11: 5	0: 3: 0	12: 13: 8	Nath'l Bachelder.
	Jacob Gale, Esq'r	128	1: 1: 4	20	5		6: 1: 4	Jacob Gale.
Newton	Joseph Bartlett, Esq.	264	2: 4	48	12	0: 3: 0	14: 7	Rec'd the contents in full, Joseph Bartlett
Hampstead	Capt. Jonathan Carlton.	160	1: 6: 8	41	10 ?	0: 4: 2	11: 15: 10	Jonathan Carlton.
Plastow	Joseph Welch, Esq.	234	1: 19:	28	9: 10	0: 3: 0	11: 12:	Joseph Welch.
Wyndham	James Betton, Esq'r.	156	1: 16: 8	38	7: 10		9: 4: 8	Paid.
	John Dinsmore.	52	8: 8	5	1: 5		1: 13: 8	Paid.
Salem	Caleb Dustin.	320	2: 13: 4	31	7: 15	0: 3: 0	10: 11: 4	Caleb Duston.
Pelham	James Gibson	256	2: 2: 8	30	7: 10	0: 3: 0	9: 15: 8	James Gibson.
	Eben Thompson, as Sec'y			55			19: 5	Eben'r Thompson.

November 17th 1775. This certifies that the foregoing Roll contains a true List of the Travel and attendance of the several Members of the Provincial Congress of New Hampshire began & held at Exeter from the 17th of May, 1775, and continued by several adjournments to the 16th of November, 1775, Inclusive, and the Right hand List contains the sum total due to the Respective Person against whose Name it is set. Attest—

E. THOMPSON, Secy.

CORRESPONDENCE.

NOTE. [Between the Dissolution of the Provincial Congress, as above, and the meeting of another, the following correspondence took place.] — ED.

Copy of a Letter to Col. Bedell.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 211.]

In Committee of Safety,
Nov. 18th 1775.

SIR — Last evening Mr. Grant arrived here with your letter of the 2^{d} Inst. containing the agreeable news of the surrender of St. Johns, &c. We are very sensible that your men without some assistance must suffer from the cold in so severe a climate, and are desirous to do everything in our power for their relief. From every circumstance of their being ordered to join Gen^{l} Schuyler's army we supposed they were to be considered as Continental Troops, & therefore no provision has been made for them by the Congress of this Colony. You say Paper money will not pass there; no other can be procured here. There is a small sum of silver & gold in our treasury reserved for the purpose of procuring ammunition beyond sea, out of which we have put into the hands of Israel Morey Esq^{r} £300 L. M. to be by him transmitted to you for the benefit of the Troops put under your command by the Congress of this colony, which we hope they will lay out for such cloathing as is most necessary for them & that you will endeavour to prevent their expending it unnecessarily, more especially as it is all of the *kind* that they can possibly be supplied with from hence. We have wrote to General Schuyler & Montgomery on the subject of supplies & pay for y^{r} men, and desired them to assist you in every thing necessary to make your companies comfortable as possible. Hoping ere this reaches you, comfortable Habitations may be your Lot, and that all your efforts for the good of your country may be crowned with happy success: that you may in due time safely return to your Friends & Familys with the Laurels of victory and be well rewarded for your services & sufferings by your country men, is the desire of your most Hum^{l}

To Col^{o} Bedell.

Copy of a Letter to Gen. Schuyler.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 213.]

In Committee of Safety, Nov. 18th, 1775.

SIR — The very interesting and pleasing Acc^{ts} of the surrender of the Fort at St. John's is just arriv'd by Express from Coll. Bedell, an event which we esteem highly favourable to the cause of American Liberty, as well as hon^{ble} to the officers who directed the measures for obtaining that important Post. The Troops from this Colony commanded by Coll. Bedell, were by advise of General Washington offered to join your Army as part of the number voted by the Continental Congress for that service. This Colony paid them only

one month's wages before they marched. Col. Bedel informs us they are very much Distressed for want of Cloathing in this severe season. We have sent him £300 out of an inadequate sum reserved to send beyond seas to purchase Ammunition, which is all we can advance unless in paper Bills which we understand have no currency in Canada. We therefore desire you will advance (if in your power) out of the Continental Chest, what is absolutely necessary for their future subsistence and comfort while in the service; and this Colony will be always ready with respect to that & all other matters to acquiesce in & to obey the Resolutions of the Continental Congress.

In behalf of the Committee,
I am with g^t esteem Y^r

To Gen^l Schuyler.

Petition of Margaret Little.

[Copied from MS. State Pap. Rev^n, Vol. II., p. 209.]

To the Comity of Seafty for the Town of Bedford in the County of Hillsborrow and Province of New Hampshire the Humbel Complent of Margaret Little of said Bedford —shews:

That by virtue of the Terms and condishons of a Deed which her late Husband Matthew Little Desesed Gave James Cairns of the one half of the Fearm he lately Lived on in said Bedford She is justly Entitled to the one half of the produce of the said farm from said Carns anuly But that Notwithstanding the said Cairns Neglecting and Refusing to comply and fulfill the Terms of said Deed whereby your Comp^t is Reduced to Nesesity for subsistance for herself and her Creaturs with Divers other matters of Greavences therefore your Comp^t prays your imediat assistance And that you would Enquire into the premises and order that the said Cairns may fulfill the terms of said Deed that I and my Creatoures may have Relief And adjust any other Grievances according to the Justice and Equity and your Complainant shall ever pray

her
MARGARET X LITTLE.
mark.

Witness Thomas Patterson
Bedford, November 16th, 1775.

Bedford, November 18th, 1775. At a meeting of the Committee of Safety for the Town of said Bedford held at the house of Capt. Samuel Patten in said Town, to hear and Determine on the subject matter of the foregoing Complaint, And after a full hearing of the Complainant and James Cairnes the Def^t and considering a Coppy of the Deed above mentioned which said Cairns did not object to being genuine, as also a Coppy of the last Will and Testament of Matthew Little, Dec^d attested by the Register of Probate for the County of Hillsborough in the Province of New Hampshire, it appears to us, That the said Complainant Margaret Little, by virtue of the conditions of said Deed, is justly Entitled to the one-half of the produce of the Farm of which the said Matthew Little Deeded the one half to the said Cairnes, and which the said Cairns has not delivered to her yet; And do adjudge that the said Margaret have the one half of the produce of said farm this present year as the same is now manufactured; and do appoint Samuel Patten and John Bell to Divide the said Produce in Equal halves and Deliver or assign the one of said halves to the said Margaret immediately or as soon as may be.

SAM^l PATTEN,
DANIEL MOORE,
SAM^ll VOSE,
MATH^w PATTEN,
JOHN BELL.

Nov^{r} 20th 1775. Pursuant to the order of the other side, the within named Bell & the subscriber went to the within named widow Little's & Cairns to Divide the produce of the said Farm. Said Cairnes had Locked up one of the Barn doors and Nailed up the others and *Dis*charged us at our peril to meddle with any thing either in house or barn (before two of the Neighbors that we got to go with us) and finally made a mock of Com^{tees} and their power; we Returned home without effecting any thing.

SAM^{l} PATTEN,
Chairman of y^{e} Comm^{tee}.

Copy of Letter to N. H. Delegates in Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 216.]

In Committee of Safety, Nov. 21st, 1775.

GENT'N. —

The Committee of Supplies and others concerned in supplying and paying our Troops have not as yet been able to close their acc^{ts} in such manner as that we could make out the Colony acc^{ts} against the Continent; but have proceeded so far as to be sure that supplying & paying our Troops in the Continental army under General Washington to the 4th of August, with what we advanced to those gone in Coll. Arnold's Detachment & those now in Canada under the command of Gen^{l} Schuyler, will amount to upwards of £20,000 L. M.

To avoid the necessity of Emitting more paper Money for our own internal charges, we desire you would Request the honourable Congress to make us a grant of such a part of the aforesaid sum as they shall see fit, and our accounts shall be transmitted as soon as a settlement can be made with the persons who have transacted the Business.

The Number of the Inhabitants in the several Towns in this Colony directed by our Congress to be taken by the several & respective selectmen & returned under oath has chiefly been complied with. We send you inclosed the list as returned except those where only the column from the sum total are filled up, which not being returned we have set down by the best information we could obtain, and are confident we have done it very near the true number; however, shall forward those wanting when they come to hand (which we expect daily) that the whole may be compleated by the Selectmen's returns.

The Towns who did not return their numbers were fill'd up in the List sent the Con^{t} Congress as follows: New Castle 230, Kensington 820, Allenstown 150, Dover 1614, Sandbornton 350, Moultonboro' 350, Tamworth 115, Hanover 380, Lyman 40, Grafton 50, Apthorp 15, Wentworth 60, Warren 60, Amherst 1410, Goffestown 520, Salisbury 220, Dunbarton 490, Hilsboro' 180, Lyndsboro' 615, Raby 320, Society Land 220, Hinsdale 170, Charlestown 710, Achworth 110, Jaffrey 175, Fitzwilliam 250, Lempster 155. [Total.] 9354.

Indorsed — "Copy of a Letter to
J. Bartlett & J. Langdon, 21st Nov^{r} 1775.
Also numbers added to the List sent to
Philadelphia."

Relating to George Meserve, Esq.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 219.]

Committee Hall, Portsm^{o} 22 Nov^{r} 1775.

Voted, That the Committee of Safety for this Colony, now sitting in this Town, be informed that George Meserve Esq. has quitted this town with a design, as they suppose, to go into Boston; and as he is generally esteem'd an Enemy to the Liberties of America, think some step ought to be taken to prevent the same.

By order of the Committee,

H. Wentworth, Chairman.

Capt. Thompson to Portsmouth Committee.

[Copied from Am. Ar., 4 Ser., Vol. IV., p. 31.]

November 23, 1775.

Gentlemen: —

I made a return to you some time ago of the fire-rafts which were then finished, and thought some one would be appointed to take care of them. I find no one has been appointed. I therefore repeat it is necessary proper persons should be appointed, as some of them were much damaged in the late storm. I have attended and put them in order again, and now return fit for immediate use, twelve rafts; likewise return, unfit for service, two from Durham, two from Greenland. The people I employed were caulkers, whose wages were very high. I have therefore thought fit to discharge them. Now as those rafts are thought things of some consequence, it is necessary to give them in charge of proper officers, in order to clear the Committee and myself of any hurt that may come to them hereafter. A sentry ought to be placed over them, as evil minded persons might easily destroy them. I put a roof over one, but have been obliged to take it off again, as it overset the raft, and twisted it to pieces, I should recommend, if they are not used before winter, to provide a ware house to unload them all, and house the wood, &c. and lay the rafts in some safe place, as I think it would be much preferable to roofing them. But if you intend they should be covered, it is necessary that it be immediately set about; of that you and the proper officers will judge. I hope the proceedings hereto will meet with your approbation, and I beg from hence the rafts will be considered entirely out of my charge.

I am Gentlemen, your most obedient servant,

T. Thompson.

To the Committee of Safety
for the town of Portsmouth.

Letter from Capt. Winborn Adams.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 329.]

[No date.]

To the Hon^{ble} the Provincial Committee of Safety at Exeter.

Gentlemen — By a Message from Portsmouth I am desired to go there to-morrow with my Company to assist in Endeavouring to take or Destroy the Man of war in our Harbour. As my Company were Inlisted under your directions, I think it my duty to wait your order on any movement. Therefore have sent the Bearer and desire your direction in this affair, which I shall endeavour to obey, and am with great respect your very humble serv^{t}

Winborn Adams.

P. S. The Plan proposed to execute the afores[d] affair I have not heard in particular, only that it was tho't the Deck might be commanded with small arms from the shore, while she was set on fire by Rafts sent down by water.

Josiah Bartlett to the Committee of Safety.

[Copied from Am. Ar., 4 Ser., Vol. IV., p. 24.]

[Extract.]

Philadelphia, November 27, 1775.

GENTLEMEN: —

"I should be very glad to be informed of all the circumstances of our publick affairs. I think that a particular knowledge of them would often be of very great advantage. But as I now hope I shall set out for New Hampshire in a fortnight or three weeks, I expect I shall not be able to hear from you after you receive this, till my return, unless, contrary to my present hopes, I shall be detained here for the winter."

I am, Gentlemen, your friend & humble serv[t]

JOSIAH BARTLETT.

Resolutions of the Continental Congress.

[Copied from MS. State Pap. Rev[n], Vol. II., p. 251.]

Philadelphia, Dec[r] 2[d], 1775.

GENTLEMEN —

The Inclos'd Resolutions I transmitt you by order of Congress: Your zeal in the cause renders any further Recommendation unnecessary. Having nothing more in charge to communicate, & being much Engag'd in Dispatching Expresses, I can't add;— but that I am with much respect

Gentlemen

Your most obed[t] Serv[t]

JOHN HANCOCK, President.

To the President & Members of
the Convention of New Hampshire.

Resolves of the Continental Congress.

[Copied from MS. State Pap. Rev[n], Vol. II., p. 221.]

In Congress, Novem[r] 30[th], 1775.

Resolved, That no Bounty be allowed to the Army on their re-inlistment.

Resolved, That the money lately order'd be forwarded with all possible Expedition to General Washington, that he may be enabled to pay such soldiers as will Re-inlist for the succeeding year their wages for the months of October, November & December, and also to advance to them one months pay.

Resolved, That the Governments of New England be inform'd of the Resolutions of Congress Relative to the pay order'd to be made and advanced to the army, and be Desir'd to promote the Recruiting service in the present army, as well as in the several Colonies.

By order of Congress,

JOHN HANCOCK, Presid[t].

Letter from Gen. Sullivan to the Committee of Safety, relating to Connecticut soldiers, and to re-inlistments.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 223.]

Winter Hill, Nov^{r} 30th, 1775.

GENTLEMEN —

I have by command of his Excellency General Washington to Inform you, That the Connecticut forces (Deaf to the Entreaties of their own as well as all other officers & regardless of the contempt with which their own Government Threatens to treat them upon their Return) have absolutely Refused to tarry till the first day of January, but will Quit the Lines on the 6th of Decemb^{r}. They have Deceived us & their officers by pretending there would be no difficulty with them till they have got so near the close of their term; & now to their Eternal Infamy Demand a Bounty to induce them to Tarry only the three weeks. This is such an Insult to every American that we are determined to Release them at the Expiration of their term at all hazards & find ourselves oblidged Immediately to supply their place with Troops from New Hampshire & Massachusetts Bay. The number required from you is thirty one companies of sixty four men in a company including a Captain, two subalterns, three sergeants & three Corporals, which makes 55 privates each. The whole number officers and men amount to 1984. The terms of their Enlistment are as follows: Each company to march as soon as full; they are to be provided with arms, ammunition & each a good Blanket.

To prevent any difficulty in passing muster here, if they are mustered by such person or persons as you may appoint, there will be no necessity of their being mustered here, nor is it to be done.

Their pay is to commence on the day they march & from that time they are to receive the price of their rations in Cash; they are therefore to take provisions to last them on the Road; in case any or the whole of them could not do this, if the Province or the several towns will supply them, the account together with what you may be at in raising them will be instantly paid.

They are to serve to the 15 of Jan^{y} next if Required.

Their pay to be as other Continental Troops; no field officers to be sent. The Captains & subalterns to be appointed & commissioned by you for the continental service & the soldiers to engage in the Continental service under the command of General Washington for the term afores^{d} if Required. None to be admitted unless on the spot by the 10th of Decemb^{r} & will be joyfully received as much sooner as possible. They will also be paid for their return home.

The above are the terms & I earnestly intreat you for the Honour of New Hampshire to show the world your attachment to the noble cause. Let the worthless sons of Connecticut know that the other Colonies will not suffer our Lines to be given up or our country destroyed, nor the sons of New Hampshire (like those parsimonious wretches) want to be Bribed into the preservation of their Liberties. I hope the eager greed with which the New Hampshire forces will march to take possession of and Defend our Lines will evince to the world their love of Liberty & Regard to their country; as you find the Business requires such Infinite haste I must intreat you not to give sleep to your eyes or slumber to your eye-lids till the Troops are on their march. I have sent Mr. Sherburne who will wait your commands & forward such orders as you may think proper to give. In case ammunition cannot be had for all, we must contrive to supply those who are Destitute here.

Gentlemen, I am your very Humble servant

JNO. SULLIVAN.

To the Hon^{ble} the Committee of Safety.

Form of Enlistment.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 230.]

We hereby Enlist ourselves as soldiers to serve in the Continental Army under the command of his Excellency General Washington until the 15th Day of January next unless sooner discharged, with Capt ——— being the Captain appointed over us. We promise obedience to all our Superiour Officers & to be subject to the Rules & Regulations of the Continental Army untill the time above mentioned & to be paid at the Rate of forty shillings per month from the time of our march to the time of our return.

I recommend the foregoing as the form of Enlistment with such alterations & amendments as you may think proper.

All the Troops you send are to be under my immediate Command & joined to my Brigade.

I mentioned to the General the encouragement you gave upon the Questions I proposed to you by his order & Informed him that you offered to send those men already raised in case they were needed — which gave him great pleasure; and as there is no preparations making to attack you & the season so far advanced I can see no Difficulty in Dismissing them. I should have been much rejoiced to have had Col^{o} Wingate, Burnum & Hacket at their head as Field Officers, but the Committee from Mass^{a} General Court & the Council of General Officers have determined the contrary. It would however give me the greatest pleasure to see those gentlemen preferring the interest of their country to the title or Rank of office & each of them to Lead a Company on to the Lines; this would so much add to the exalted opinion I already have of them that I should, during their stay here treat & Respect them as officers of the highest Rank.

I Recommend that all the arms at the Store at Portsmouth be Delivered out & if Captain Turner inclines to come, that his Company be augmented to the number proposed & they be furnished with them.

As this is merely a Continental matter you need not wait for a full Committee; the voice of two or three will be sufficient, though the assistance of the whole may possibly be necessary; I promise in behalf of Gen^{l} Washington that the act of any number will be deemed valid & the officers & soldiers received & paid accordingly.

N. B. The soldiers are to be paid off the moment they are discharged before they quit the ground.

JNO. SULLIVAN.

Yours &c.

Hon^{ble} Committee of Safety.

Letter from Gen. Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 233.]

Winter Hill, Nov. 30th 1775.

DEAR SIRS —

General Washington has sent to New Hamp^{r} for 31 Companies to take possession of and Defend our lines in Room of the Connecticut forces, who most scandalously refuse to tarry to the first of January. I must therefore intreat your utmost exertions to forward the raising those companies, lest the enemy should take the advantage of their absence and force our lines. As the Connecticut Forces will at all events leave us at or before the tenth of

next month, Pray call upon every true friend to his Country to assist with Heart and Hand in raising and sending forward those Companies as soon as possible.

Sirs, I am in extreme haste your most
obedient servant

JNO. SULLIVAN.

To the Committee of Safety
in Exeter.

George Jaffrey Esq.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 235.]

W. Hill, Novem^{r} 30th 1775.

GENTLEMEN —

Since I saw you last I find that George Jaffrey, Esq^{r} has assisted much in fixing the works to Defend our Harbour: That being the case I am clearly of opinion that he ought not in justice to be deemed an enemy to his country or treated as such. I therefore consent that he remain at his own house in Portsmouth, if agreeable to you, & am Gent^{n} with much respect your most obed^{t} Serv^{t}

JNO. SULLIVAN.

Hon. Committee of Safety.

Officers Recommended.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 231.]

Capt. George Turner and Captain George Jerry Osborne both of Portsmouth.

All those at Portsmouth, being eight in number to march immediately. Those companies may be divided into two and then some persons added so as to make the number in each case. I recommend Cap^{t} Yeaton to command a company.

I recommend as Captains the following Persons: viz.

Capt. James Hall of New Market.
Capt. Cutting Culley of Nottingham.
Capt. David Place of Rochester.
Capt. Alpheus Chesley of Durham.
Capt. Jn^{o} Waldron of Dover.
Lieut. Jn^{o} Ward Gilman of Exeter.
Capt. Mark Wiggin of Stratham.
Lieut. Jn^{o} Hill of Barrington.
Capt. James Shepard, of Canterbury.

In the upper part of the Province & at Chester & Londonderry I am not acquainted. You will think of proper persons & if those named are not agreeable you will please to appoint others. In case there is a want of officers & men & as you are not confined to Provinces, you may, if you think best, send to Captain Thomas Hodsdon of Berwick, who had a Company at Portsm^{o} when I was there first. He will soon raise and bring on a Company. There is also one Capt. Jona. Hambleton would soon raise and march another.

Y^{or} H. S^{t}

JNO. SULLIVAN.

P. S. I would [not] be understood to confine it to all or even any of the above persons if you think best to appoint others.

J. S.

Letter from Gen. Sullivan.

[Copied from MS. State Pap., Rev^{n}, Vol II., p. 241.]

Winter Hill, Decem^{r} 2^{d} 1775.

Gentlemen — I take this oportunity to Inform you, That the Connecticut Forces not only Determine to quit our Lines at the expiration of their term, but to their eternal Infamy Endeavoured to leave us yesterday, which was five days before their time expired. We can therefore have no hope of their Tarrying after the 6th. Half General Putnam's Regiment is now under Guard. The people who have Escaped from Boston inform us that the Enemy are fully acquainted with our Situation & will probably take advantage of it. For Heaven's sake Dispatch your Forces as soon as possible.

Gentlemen, I am with respect your most
obed^{t} serv^{t}

Jno. Sullivan.

Hon^{ble} Committee of Safety.

P. S. Captain Odiorne the Bearer hereof says he thinks he can Raise a number of men to march immediately; if so, should recommend him; but this is more properly your Province.

J. S.

Orders to Col. Hobart and Col. Timothy Walker jun. Esq., or either of you.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 243.]

In pursuance of your appointment by the Congress as paymasters to our Troops in the several Regiments under the Col^{s} Stark, Reed & Poor: We desire you to proceed to the Camp and there pay all the officers and soldiers or their legal Representative, in the aforesaid Regiments the wages due to them from the time of their entering into the service until the 4th of August last, taking their receipts therefor, at the rate the persons in their several Capacities have been paid in this Colony and that of the Massachusetts Bay, Making deductions out of the wages of each person for what he has received already from this Colony in part. Also deducting from every persons wages the price of a Blanket where it appears that he has received from the Colony more than one or money in lieu, And where it appears that any Captains have drawn more Blankets or Cash therefor than one for each non-commission officer and soldier in his Company unless he make it appear who of his Company has Received those overplus ones that the same may Respectively be stopt out of the soldiers wages, then the same to be stopt out of said Captain's wages; and as the several Pay Rolls of the Respective Companies in the aforesaid Regiments have not been Bro't to this Committee for allowance, You are desired to see that those Rolls be properly made out and sworn to by the Respective Captains (or in their absence by one of the subalterns) that such Rolls are just & true. You are also desired to Deliver the Commissions put into your hands to the several Captains who lately led the Recruits from this Colony to the Continental Army, and the subalterns under them, filling up the Blanks with such names as you shall be informed by the Captains are appointed to the Respective officers.

Indorsed — "Orders to Col^{o} Sam^{l} Hobart
and Col^{o} Timo. Walker, Dec. 1775."

Form of Enlisting Orders.

[Copied from MS. State Pap. Rev,n Vol. II., p. 245.]

Colony of New Hampr } In Committee of Safety, Decr 2d, 1775.

To Capt ——— ——— Greeting:

You are hereby authorized immediately to enlist a Company to consist of sixty one able bodied effective men including three Sergeants & three Corporals well accoutred with arms & provided with Blankets to serve in the Continental Army under the command of his Excellency General Washington until the fifteenth day of January next unless sooner dismissed, and you are hereby informed that you will have Liberty to nominate two persons to serve as subalterns in said Company under you who will be commissioned accordingly if approved by this Committee. And you are to march the said Company when enlisted seasonably so as to join General Sullivan's Brigade on Winter Hill at or before the tenth day of Decr Inst. and you may assure the said Company that their Pay which will be the same as the other Continental Troops will commence the Day they march, and that those who supply themselves with Provisions on their march shall receive the price of their Rations in Cash, and that they will be paid off the moment they are dismiss'd & also be paid for their Return home.

By order of the Committee,

Wm. Whipple, Chairn P. T.

Form of Enlistment (*p.* 249).

Colony of New Hampshire:

We the Subscribers do hereby severally enlist ourselves as soldiers in Captain ——— Company, to serve in the Continental Army under the command of his Excellency Genl Washington until the fifteenth day of January next unless sooner discharged; and we promise obedience to our officers & to be subject to the Rules & regulations of the Continental Army during the said Term.

Decr 1775.

Copy of a Letter to Col. Hobart.

[Copied from MS. State Pap. Revn, Vol. II., p. 253.]

In Committee of Safety, Dec. 3d, 1775.

Sr — The pressing necessity of suddenly raising a number of men to guard our lines left open by the Connecticut Troops, makes it necessary for us to desire you (laying all other Business aside) to proceed with all possible Dispatch to the County of Hillsborough & endeavour to raise a number of Companies for that service. We send you a number of Enlisting Orders forms for the soldiers to sign which we desire you to give out to such persons as you judge best for the service filling up the blanks when you deliver them. We entreat your exerting yourself, as your Country & all we have may perhaps depend on the Lines being manned by the 10th of December. With great respect in behalf of the Committee, I am yr humble Servt

——— ———.

Decr 3d.
Colo Hobart.

Copy of a Letter to Col. Walker.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 253.]

Sr — By Express from Gen^{l} Sullivan we are informed that the Connecticut Troops whose time of enlistment expired the last day of November are about returning home. Gen. Washington has desired N. H. to send him 31 companies to man the lines until the 15th of January next & to be at Winter Hill by the 10th of this month at furthest. We send you enclosed several orders for enlistment and forms for the soldiers to sign & desire you to find persons you judge suitable for enlisting & commanding the Companies & then to fill up the blanks. We earnestly request your utmost exertions in raising & forwarding the men, as our Lines being kept open may be of fatal consequence. The time is short; pray employ every moment to have some companies marcht. The Captains are desired to be careful in enlistlng none but good men properly equipt as they cannot be muster'd.

They must take provisions from home to last them to the Camp, for which the General engages to pay the money.

In behalf of the Committee, I am

Sir — Your delaying one week in paying the Troops will be no damage. Col^{o} Hobart is gone home on this business.

James Shepherd of Canterbury has been recommended as a good man to raise a Company.

In Committee of Safety, Dec^{r} 3^{d}, 1775.

Col^{o} Walker.

Rev. Eleazer Wheelock to General Washington, relating to Maj. Robert Rogers.

[Copied from Am. Ar., 4 Ser., Vol. IV., p. 158.]

Dartmouth College, December 2, 1775.

Much honored and respected sir:

On the 13th ult. the famous Major Rogers came to my house from a tavern in the neighborhood, where he called for refreshment. I had never before seen him. He was in but ordinary habit for one of his character. He treated me with great respect; said he came from London in July, and had spent twenty days with the Congress in Philadelphia, and I forget how many at New York; had been offered and urged to take a commission in favor of the Colonies, but, as he was now in half pay from the Crown, he thought proper not to accept it; that he had fought two battles in Algiers, under the Dey; that he was now on a design to take care of some large grants of land made to him; that he was now going to visit his sister at Moor's Town, and then return by Merrimack River, to visit his wife, whom he had not yet seen since his return from England; that he had got a pass or license to travel from the Continental Congress; that he came in to offer his service to procure a large interest for this College; that the reputation of it was great in England; that Lord Dartmouth, and many other noblemen, had spoken of it, in his hearing, with expressions of highest esteem and respect; that Capt. Holland, Surveyor General, now at New York, was a great friend to me and the College, and would assist me in the affair; and that now was the most favourable time to apply for a large grant of lands for it.

I thanked him for expressions of his kindness, but, after I had shown some coldness in accepting it, he proposed to write me in his journey and let me know where I might write him; and he should be ready to perform any

friendly office in the affair. He said he was in haste to pursue his journey that evening. He went to the aforesaid tavern, and tarried all night, the next morning he told the landlord he was out of money and could not pay his reckoning — which was three shillings — but would pay him on his return, which would be within about three months, and went on his way to Lyme; since which I have heard nothing from him. But yesterday two soldiers, viz. Palmer, of Orford (whom they say was Lieutenant under Colonel Bedel) and Kennedy of Haverhill, on their return from Montreal, informed me that our officers were assured by a Frenchman, a Captain of the Artillery, whom they had taken captive, that Major Rogers was second in Command under General Carleton, and that he had lately been in Indian habit through our encampments at St. John's, and had given a plan of them to the General; and suppose that he made his escape with the Indians which were at St. John's.

This account is according to the best of my remembrance. If it shall prove of any service to detect such an enemy I shall be glad; if not, my intention will I trust, apologize for what I have wrote.

I am, much honored Sir, with much esteem and respect, your Excellency's most obedient and very humble servant.

ELEAZAR WHEELOCK.

His Excellency General Washington.

General Sullivan to the Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 255.]

Winter Hill, Decem^{r} 3^{d}, 1775.

MUCH RESPECTED GENTLEMEN —

Notwithstanding every method has been taken to keep the Connecticut Forces on the Ground, till Relief could be had from the Country, the cowardly Traitors begin to leave us in companies & Regiments & that even six or 7 Days before the time is expired. What has possessed these vile Poltroons Remains yet a secret. We have sent Handbills similar to the one Enclosed, before them on the road and I trust they will have the desired effect. A Gentleman from Boston was here last Ev^{g}, says the Enemy are by some means or other fully acquainted with our situation & he fears much they will take advantage of it. I Entreat you, Gentlemen, to spare no pains in forwarding the march of your Troops, as much may Depend on their speedy arrival.

Y^{r} most obed^{t} serv^{t}

JN^{o} SULLIVAN.

The Hon^{ble} Committee
of Safety in N. H.

Josiah Bartlett, Esq. to the Provincial Committee of Safety.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 259.]

Philadelphia, Decem^{r} 4th 1775.

GENT'N.

Yesterday I Received yours of the 21st ult. Requesting the Congress to grant a sum of money to our Colony towards what we have advanced on Account of the Continent. I took the opportunity this morning to lay the same before Congress, who have voted us the sum of forty thousand Dollars as you will see by the enclosed Extract from their minutes. I fear it will not be ready in less than three or four weeks from this time, as all that has been emitted is expended, and several grants previous to ours made on the

next emission, which was ordered by Congress near a month ago. But the Committee has been retarded for want of proper paper; they now say they shall begin in a few days. If the Congress should not rise before the money is ready (which is at present uncertain) I will use my best endeavors to send it as soon as possible by some safe conveyance; perhaps I may send it to Cambridge and inform you that you may send for it there. If the Congress shall rise before it can be procured, I will to give orders to have it sent as soon as may be; unless by tarrying a short time I can bring it with me.

I am, Gent^{n}, with great respect
your very humble serv^{t}

JOSIAH BARTLETT.

The Provincial Committee of Safety.

Resolve of Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 257.]

In Congress, Dec^{r} 4, 1775.

Application being made in behalf of the Colony of New Hampshire for a sum of money on account of their advances in behalf of the Continent:

Resolved, That the sum of forty thousand dollars be paid to the Colony of New Hampshire, they to be accountable for the same: That this be paid out of the money last ordered to be emitted, as soon as it can be got ready.

Extract from the minutes.

CH'S THOMSON, Sec^{y}.

Copy of a letter to Gen. Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 261.]

In Committee of Safety, Dec^{r} 5th, 1775.

SIR: — Upon Mr. Sherburne's arrival on Friday evening, expresses went out, Which bro't the Committee together on Saturday in the forenoon, they Immediately proceeded with the utmost diligence to Raise the Companies requested — Sent off expresses to the County of Hillsboro', to Concord, &c. as well as to the neighbouring Towns with a considerable number of Listing orders and Letters to Gentlemen of the greatest influence, requesting their vigorous exertions in the affair, but have had no returns from the Distant parts. We have had many obstacles to encounter which we did not expect, and have spent most of the time day and night since we met in endeavouring to surmount them. None of the Troops here would enlist before they were paid for their time here until the last Enlistment; *yet?* No pay Rolls were made out before. We have had near 20 to examine and pay and a great part to Draw over and calculate which took up a great part of our time, & many demanded pay for their time since the last Enlistment, which we were oblig'd to comply with. Then another great difficulty was, that but 3 out of 4 comm^{d} officers could be admitted in these companys proposed, and some clamour'd highly because no field officers were to go, alledging they should be commanded by field officers from the other Colonies which they would not submit to. Several accounts were curr^{t} of Naval preparations making at Boston supposed for this Port, which occasioned many to think we should leave ourselves naked by sending the Troops from hence, and encouraged the officers & soldiers to expect there being continued here if they did not Enlist. However, after struggling with all those difficulties we have so far surmounted them as to get several companys fill'd up. Capts. Baker, Copp, Elkins, Clark & Webster, from the Troops here, we expect will be on their march to Day & tomorrow. Capt. Wiggin of Stratham, we hear has raised a Company & ready to march. Several more Companys are for-

ward. Capt. Denbo of Lee listed near 30 men here, & went home to recruit on Sunday. Many more are forward. We think there is a good prospect of near 1-2 the Companies you ask'd for being seasonably in from this part of the Colony. We hope the people on the Western part of the Government will exert themselves; a few more than 31 Enlistments have been given out, as we tho't some would fail. Strict orders has been given every one to be at the Camp by the 10th Inst; however it is probable as the time was so short some will be later: if they should in that case be sent back it will hurt the cause greatly. We shall continue our most strenuous efforts to forward the men.

Indorsed — "Copy to Gl Sullivan
Dec. 5th 1775."

Orders of Col. Burnham.

[Copied from MS. State Papers Revn, Vol. II., p. 263.]

In Committee of Safety, Dec. 5th, 1775.

Colo Burnham —

You are desired to assist the several Captains of the Companies lately raised in this Colony for the Continental Army in forwarding their men, mustering them & making up the Rolls, and to let us know as soon as may be what companies are engaged & the numbers of each.

In Committee of Safety, Dec. 6th, 1775.

Ordered That Capt. Hodgdon with forty two of his Company and Lt Sevey, Lieut. Gilman & Ensign Wallace with those remaining of Capt. Parson's Company be stationed at Sevey's Island; That Capt. Hodgdon take the command there.

That Lieut. Wm. Prescut, Lieut. Wiggin & Ensign Williams form one Company of the men under their command — That Lieut. Brewster, Lieut. Nute & thirty three of Capt. Hodgdon's Company with the soldiers left of Capt. Copp's company form another company & that these two last mentioned companies be stationed at New Castle under the command of Majr Hacket — & that Colo Wingate appoint an Ensign for the last mentioned Company out of Copp's men.

By order of the Committee.

After Orders.

At the request of Majr Hacket, Ordered that Lieut. Gilman, with sixteen of Capt. Parson's Company remain at New Castle in the Room of Lieut. Wiggin, who with his men are to take the place appointed for said Gilman, on Sevey's Island.

By the Committee, Dec. 5th 1775.

Letter from Gen. Folsom to the Committte of Safety.

[Copied from MS. State Pap. Revn, Vol. II., p. 265.]

Exeter, Decemr 6th 1775.

Gentlemen — Immediately after my return home on Sunday afternoon, I dispatched Colo Hobart for Chester. The next morning I sent an Express to Major Bartlet of Nottingham, who is now with me; he expects to have his company full by Thursday night & march them off Friday morning, but

wants a Dollar pr man, which I should be glad you would give me an order for. I also applied without loss of time to several of the likeliest persons here to raise a compª but without success, till Simeon Ladd took the Blank Order for a company; he has as yet enlisted but three, yet refuses to give up the orders till he has tried further. I have since employed Benjª Boardman of this Town & Porter Kimbal of Brentwood who I believe will be able to raise a company. Boardman having enlisted about Twenty & Kimbal about the same number, shall therefore be glad you would send up Beating Orders for them, and an order for one Dollar for each of the men. You may depend on my sparing no pains in getting the men ready to march by Friday morning.

I now send you by the bearer Mr. Ebenezer Dearing two hundred Pounds agreeable to your request. I am, Gentlemen,

Your most humble servt

NATH'L FOLSOM.

To the Honbl Committee of Safety
for the Colony of New Hampshire
at Portsmouth.

Letter from Gen. Washington.

[Copied from MS. State Pap. Revn, Vol. II., p. 267.]

Cambridge, Decemr 7, 1775.

GENTLEMEN —

Richard Emms, a prisoner at Portsmouth, having expressed a strong desire to go to his Family & Friends in the West Indies, in a schooner which is about to go there, you will be pleased to grant him a permit for that purpose, unless there be any objections against it which I am not apprised of.

I am, Gentlemen,
your H'ble servt,

Gº WASHINGTON.

Portsmº 15th Decr 1775.

[p. 277.]

GENTLEMEN — We herewith transmit you Gen. Washington's Letter respecting Capt. Emmes, supposing it a Matter more properly cognisable by you than us. At the same time We beg leave to hint that we should think it imprudent to suffer him to take passage to the W. Indies in either of the vessels now fitting out, & that a reasonable Sum should be allowed him for Board from the time he was discharged from the ship Prince George, till he leaves the Province.

I am by order of the Committee of Safety,
Gentn yr most h'ble sert

H. WENTWORTH, Chairman.

[To the Prov. Committee of Safety.]

Letter from Hon. John Hancock.

[Copied from MS. State Pap. Revn, Vol. II., p. 269.]

Philadª Decr 8, 1775.

GENTLEMEN —

On the 2d Instant by order I forwarded to you the resolution of Congress directing such soldiers as will re-inlist to be paid their wages for the months of October, November & December, and moreover one month's pay advance and desiring you to exert your utmost endeavours to promote the recruiting service in the army as well as in your particular Colony.

By letters since that from the General, the Congress are informed that from the 19 to the 28 of November, not more than 2540 reinlisted & that only 966 had reinlisted before that time. The situation of the General and army is the more alarming as General Howe is well apprised of this matter and will, no doubt, on the first favourable opportunity avail himself of the information.

I need not inform you of the pain the Congress feels at this backwardness in the soldiers to reinlist. Nor need I point out to you the dreadful consequences that must ensue, should the lines be abandoned and the General deserted at a critical moment. I am therefore desired to forward to you the enclosed resolution of Congress and to request you to exert yourselves in defence of our common liberties by affording the General all the aid in your power, and to comply with his request for the service of the Militia, whenever he may find it necessary to apply for it.

I am, Gentlemen,
Your most obed^{t} Hum. Ser^{t}

JOHN HANCOCK, President.

Convention of New Hampshire.

Letter from Gen. Sullivan.

[Copied from MS. State Papers, Rev^{n}, Vol. II., p. 271.]

Winter Hill, Decem^{r} 8th, 1775.

MUCH RESPECTED GENTLEMEN —

Your favour signed by Col^{o} Whipple is now before me, but previous to the Receipt thereof Common Fame with his usual readiness had proclaimed your vigorous exertions & the Noble spirit of your people. General Washington & all the other officers are extremely pleased & bestow the highest Encomiums on you & your troops, freely acknowledging that New Hampshire Forces for bravery & Resolution far surpasses the other Colonies & that no Province discovers so much zeal in the common cause. Though I wish y^{e} Troops may all arrive before the 10th Instant, yet none will be refused on account of their being a few days later. I applaud Col^{o} Burnham's zeal & shall show him every mark of esteem in my power.

I am, Gentlemen, with gratitude & Esteem y^{r} most obed^{t} serv^{t}

JNO. SULLIVAN.

Hon^{bl} Committee of Safety.

General Sullivan to Meshech Weare — On a Plan of Government.

[Copied from Amer. Ar., 4 Ser., Vol. IV., p. 241.]

Winter Hill, December 11, 1775.

DEAR SIR — Though continually involved in those difficulties which necessarily attend a military life, I can by no means forget the duty I owe to that Province whose generous favour I have so largely shared, and whose generous favours I have so often experienced. Being deeply impressed with gratitude to that truly patriotic Colony and fully sensible that the remaining part of my life ought to be devoted to the interests of my country in general, and that Province in particular, I have stolen a few moments from the busy scenes of war to offer you my thoughts upon a matter which I deem essential to the future welfare of my truly spirited and deserving brethren within that Government. I hear that the Continental Congress has given our Province a power to assume government. But the contents of this letter to the Provincial Congress having never transpired, and my friends at the Continental

Congress having never informed me but in general terms that we had liberty to assume government, I must conclude that liberty is given to set up and establish a new form of government, for, as we were properly speaking, a King's Government before, the giving us a power to assume government, would be giving us a license to assume a form of government which we could never obtain. Taking it therefore for granted that the Congress have given us liberty to set up that form of government which will best answer the true end and design thereof, I shall beg leave to offer you my thoughts upon the subject, leaving you to make such use thereof as your wisdom shall direct.

And, as my ideas of government may in some measure differ from many others, I shall beg leave to premise some few things. And in the first place must observe, that all governments are, or ought to be, instituted for the good of the people: and that form of government is most perfect when that design is most nearly and effectually answered.

Secondly, That government which admits of contrary or clashing interests, is imperfect, and must work its own ruin whenever one branch has gained a power sufficient to overrule or destroy the other. And the adding a third, with a separate and distinct interest, in imitation of the *British* Constitution, so much celebrated by those who understand nothing of it, is only like two contending powers calling in a third which is unconnected in interest, to keep the other two in awe, till it can gain in power sufficient to destroy them both. And I may almost venture to prophesy, that the period is now at hand when the *British* nation will too late discover the defects in their much boasted Constitution, and the ruin of that empire evince to the world the folly and danger of establishing a government consisting of different branches, whose interests must ever clash with each other.

Third. That no danger can arise to a State from giving the people a free and full voice in their own government. And that, what is called the prerogative of the Crown, or checks upon the licentiousness of the people, are only the children of designing or ambitious men, no such thing being necessary; for, though many States have been overturned by the rage and violence of the people, yet that spirit of rage and violence has ever been awakened in the first place by the misconduct of their rulers. And, though often carried to the most dangerous heights, so far from being owing to too much power being lodged in the hands of the people, that it is clearly owing to their having too small, and their rulers too extensive a power.

Thus we find Rome enjoyed its liberties until their Dictators and others were clothed with power unknown before, at least in that country, and made in some sort independent of the people; and to this authority, so inconsiderately given, should be charged all the tumults at Rome, and the final ruin of that empire. This uncontrollable power, so much sought after by designing men, is made use of to enslave the people, and either bring about that event, or raises the just indignation of the people to extirpate the tyrant thus seeking their ruin. And it sometimes happens that the resentment is so far carried by the fury of an enraged populace as totally to destroy the remains of government, and leave them in a state of anarchy and confusion, and too often have designing persons taken advantage of this confusion and established tyranny in its place.

I am well convinced that people are too fond of their own ease and quiet to rise up in rebellion against government, unless when the tyranny becomes intolerable. And their fondness for government must clearly appear, from their so often submitting to one tyrant after they had extirpated another, rather than live in a state of anarchy and confusion. I would therefore advise to such a form of government as would admit of but one object to be kept in view, both by the governour and governed, viz, the good of the whole, that one interest should unite the several governing branches, and that the frequent choice of the rulers, by the people, should operate as a check upon their conduct and remind them that a new election would soon honour them for their good conduct, or disgrace them for betraying the trust reposed in them.

I by no means object to a Governor, but would have him freely appointed by the people, and dependent upon them, and his appointment not to continue for a long time unless re-elected — at most not exceeding three years, and this appointment to be made by the freeholders in person, and not by their representatives, as that would be putting too dangerous a power in their hands, and possibly a majority of designing men might elect a person to answer their own particular purpose, to the great emolument of those individuals, and the oppression of their fellow-subjects; whereas, we can never suppose the people to have anything but the true end of government, viz: their own good in view, unless we suppose them idiots or self-murderers. I am likewise much in favour of a Council and House of Representatives, but would have them likewise chosen by the people, and by no means for a longer time than three years; and this mode of choosing would effectually destroy that pernicious power distinguishing Governours, to throw aside those persons who they found would not join them in enslaving the people. The late conduct of Bernard and Hutchinson, and the present unhappy state of the Province I am now in, are striking witnesses of the justice of this observation, nor can I see the least reason for a Governour having a power to negative a Speaker of the House.

I would have some rule established for making that person incapable of holding either of the above offices, that should, either before or after his election, bribe or treat the voters, with intent either to procure an election or reward the electors for having chosen him. Accusation, if against the Governour, to be tried by the two Houses; and if against either of the other members by the Governour and the other members of both Houses, he having a vote equal to any other member. And in case judgment should pass against the new elected Governour, the old one to remain till a new election be had; and in case he be the same person formerly elected, the President of the Council to supply his place till a new election can be made, which President should be appointed by free vote of the members of the Council, at their first meeting. The infamous practice of bribing people, in Great Britain, to sell their votes and consequently their liberty, must show the danger of permitting so dangerous a practice to be instituted under our Constitution, to prevent which, and to guard against the undue influence of persons in power over votes, I would recommend the Pennsylvania method, viz: that every vote should be rolled up, sealed on the back thereof, be noted that it is a vote for a Governour, which should be deposited in a box prepared for that purpose; and a vote for Counsellors and Representatives, sealed up, noted an the back, brought in as aforesaid, and deposited in separate boxes, provided for the purpose. That all voters having once given in their votes, should pass out, and care be taken that they should not come in again, till the voting was over; or, if it be thought more expedient, to let the clerk of the meeting have a perfect list of all votes, with three columns ruled against there names, one marked for a Governour, one for a Representative, and when a person brings in a vote for one, a mark to be made against his name in that column; and if he brings in for all three at the same time, a mark to be made in each column: which I think will effectually prevent any fraud in voting again. The Representatives' box to be examined in meeting, and the election declared. The votes given for Counsellors and Governour to be sealed up by the clerk, and forwarded by him to the Capital of the Province, where all the votes being had together, a sworn Committee should examine the whole and declare the elections. This method, though it may appear somewhat troublesome, will not turn out so upon trial; and it is the most effectual method to secure the freedom of voting, and prevent every species of fraud and connivance.

Any persons who offer themselves as candidates for any berth may, agreeably to the method practised in Pennsylvania publish their design in newspapers, or communicate it in any other method they may think proper, or leave the people to find out persons of merit and nominate for themselves. All civil officers should be appointed by the three branches, and all military officers by the Governour and Council, and never superceded in commission

but by the same power which created them. All laws negatived by a Governour, if revived afterwards, and passed by a new House and Council, to be assented to by him at all events, as it would be unreasonable to suppose two Houses of Representatives and two sets of Counsellors, possessed of less wisdom, or to have less understanding of the true interests of the people, than a single person has, and that after having a long time to think upon the matter, and to consult their constituents thereon.

And here I must beg leave to observe that however high other people's notions of government may run, and however much they may be disposed to worship a creature of their own creation, I can by no means consent to lodging too much power in the hands of one person, or suffering an interest in government to exist separate from that of the people, or any man to hold an office, for the execution of which he is not in some way or other answerable to that people to whom he owes his political existence.

Time will not permit me to go more largely into the subject, but I must leave you to weigh these hints, and make such improvement thereon as your wisdom shall direct; and though my notions of Government are somewhat singular, yet, I think this plan will be an improvement upon the Constitution, by far the happiest I know of. Where I have supposed a defect in that Constitution, I have taken the freedom to borrow from that of Pennsylvania, and other governments, to supply it; and in some instances have added my own thoughts, which if they have the force of reason in them, will have their weight. If they should not appear to be founded on reason, I must beg you to excuse my giving you trouble, as I sincerely aim to promote the welfare of that Colony, to which I wish the most lasting happiness.

And assure yourself that I am, with much esteem

Your most obedient servant,

JOHN SULLIVAN.

To the Gentlemen of the Committee.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 275.]

John Evans of Portsmouth, Merchant, humbly sheweth that his Schooner Cornucopia, John Blunt Master, arrived at Alexandria in Virginia in the month of April last past at which place shē has remain'd to this time.

Wherefore your petitioner prays that a Certificate may be granted to some fit person to go from hence to Virginia & there load said Schooner with Provisions for this place & also to certify that Provisions are much wanted here. (to go by land.)

Also a Certificate that the Schooner Welcome of eighteen tons carrys Men from hence to navigate said Schooner Cornu Copia from Virginia to this place, this last Certificate to go in said Schooner Welcome with four men.

And your Petitioner as in Duty bound will ever pray.

JOHN EVANS.

Exeter 14 Decem^{r} 1775.

Colony of New Hampshire,
In Committee of Safety for said Colony.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 295.]

Whereas John Evans of Portsm^{o} in said Colony, merchant, hath represented to us that his schooner C. C. John Blunt master arrived at Alexandria in Virginia in the month of April last, at which place she hath remain'd to this time, & petition'd that Liberty may be granted to the Scho^{r} Welcome ——— master, of Eighteen tons burden, now in this Harbour, proceed from hence to Virginia with men to navigate the said Scho^{r} C. C. from thence to this Colony, which this Committee having considered as also the neceesity of provisions being imported into this Colony, Do consent & agree that the said Schooner Welcome have liberty to proceed accordingly.

Letter from General Washington.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 305.]

Cambridge, 23^{d} Decem^{r} 1775.

Sir —

Notwithstanding the great pains taken by the Quarter master General to procure Blanketts for the Army, he finds it impossible to provide a number sufficient; he has tryed the Southern Provinces without success, as what were there are engaged to supply the wants of the troops in each place.

Our Soldiers are in great distress and I know of no way to remedy the evil, than applying to you. Cannot some be got from the different towns? Most houses could spare one, some of them many: If your Hon^{ble} Convention will please to take this affair under their immediate consideration, and by some means procure as many as can be spared from the house-keepers, you will do infinite service to this Army & very much oblige,

Sir, your most Ob^{t} Serv^{t},

G^{o}. Washington.

To the President of the New Hampshire Convention.

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FIFTH PROVINCIAL CONGRESS.

Journal of the Conventions in Congress which assembled at Exeter, December 21st, 1775,—being the Fifth Provincial Congress.

[P. 285.] Colony of New Hampshire.

In Congress at Exeter, Dec^{r} 21st 1775.

At a General Convention of the Delegates from the several Towns, Parishes, and Places in this Colony, on the Twenty-first day of December, A. D. 1775, Pursuant to Precepts Issued by the late Congress:

The Returned Members met, and after making out a List of their Names and the Places they represent, Proceeded to make choice of a President, and the Votes being bro't in, It appeared that the Hon^{ble} Matthew Thornton Esq^{r} was chosen President of this Congress by a great majority, who took the chair accordingly.

Voted, That Ebenezer Thompson Esq^{r} be Secretary of this Congress.

Voted, That Noah Emery Esq^{r} be Assistant Secretary to this Congress.

Then adjourned to half after eight o'clock tomorrow morning.

A Roll of the Members Returned to sett in Provincial Congress Begun and Held at Exeter in & for the Colony of New Hampshire on the Twenty-first day of December, Anno Domini 1775.

Towns & Places.	Names.
PORTSMOUTH,	Sam^{l} Cutts Esq.
	Sam. Sherburne
	Peirce Long
Hampton,	Capt. Josiah Moulton
Northampton,	Dr. Levi Dearborn
Exeter,	John Giddinge Esq^{r}
	Noah Emery
Londonderry,	Hon. Matthew Thornton, Esq.
	John Bell,
New Castle	Henry Prescott, Esq.
Rye,	Nathan Goss,
Kingston & East Kingston	Sam^{l} Philbrick
Sandown & Hawke	
Greenland,	Clement March, Esq.
Newington,	Richard Downing, Esq.

Stratham	Benj[a] Barker,
Newmarket,	Thomas Tash, Esq.
Southampton & Newton	Phillips White, Esq.
Kensington,	Capt. Ezek. Worthen
Plastow & Atkinson	Sam[l] Kimball
Hampstead,	John Calfe
Salem,	Caleb Dustin
Pelham,	James Gibson
Chester,	Stephen Moss
	Capt. Robert Wilson
Candia,	
Raymond & Poplin	John Dudley, Esq.
Brentwood,	Sam[l] Dudley Esq.
Hampton Falls & Seabrook	Hon. Meshech Weare, Esq.
Nottingham,	
Deerfield & Northwod	Jere. Eastman
Canterbury & Loudon	Thomas Clough
Chichester, Epsom & Allenstown	John McClary, Esq.
Pembrooke,	David Gilman, Esq.
Wyndham,	James Betton, Esq.
Bow & Dunbarton	Capt. Caleb Page
Concord	Timothy Walker, jun[r]
Epping	Nehemiah Wheeler
DOVER,	Stephen Evens, Esq.
	Otis Baker, Esq.
Madbury,	
Durham,	Eben[r] Thomson, Esq.
Lee,	Hercules Mooney
Summersworth,	Ichabod Rawlins, Esq.
Barrington,	Sam[l] Hayes
Gilmantown & Barnstead	Joseph Badger, Esq.
Sanbornton & Meredith	Eben[r] Smith, Esq.
Rochester,	Dea. James Knowles,
Leavitstown Wakefield & Middleton	Nathaniel Balch
New Durham the Gore & Wolfborough	
Moultonboro' Sandwich & Tamworth	Daniel Bede Esq.
AMHERST,	Moses Nichols, Esq.
	Nahum Baldwin
Litchfield & Nottingham W.	Wyseman Claggett Esq.
Dunstable	Jonathan Lovewell, Esq,
Holles	Stephen Ames

Merrimack & Bedford	Jon[a] Blanchard, Esq[r]
Derryfield & Goffstown	Moses Kelley, Esq.
Weare	John Worth
Hopkinton	Stephen Harriman
Henniker, Deering, Hillsboro' & Society Land	Capt. Joseph Symonds
Francestown & New Boston	——— ———
New Ipswich	William Shattuck
Boscawen & Salisbury	Col. Henry Gerrish
Temple & Peterborough	Sam[l] Moore
Wilton, Lyndeboro', Mile Strip & Duxbury Farm	Jacob Abbott
Mason & Raby	Dea. Amos Dakin
New Britton, Warner, Perrystown & Fisherfield	——— ———
RINDGE, Jaffrey & Peterboro' Slip	——— ———
Dublin & Monadnoc No 5	Eliphalet Stone
Packersfield, Limerick, Cambden & Gilsum	Robert Pollock
Marlow, Surry & Alstead	Nat. S. Prentice
Hinsdale & Chesterfield	Archibald Robinson
Winchester	——— ———
Richmond	——— ———
Swanzey & Fitzwilliam	——— ———
Keen	Maj. Tim[o] Ellis
Westmoreland	——— ———
Walpole	Maj[r] John Bellows
Charleston	Elijah Grout
Cornish, Plainfield, Protectworth & Grantham	Moses Chase Esq
Claremont	Capt. Joseph Wait
Unity, Acworth, Lemster, Savill, Croydon & Newport	Benj[a] Giles Esq
PLYMOUTH, New Chester, Cockermouth & Alexandria	Sam[l] Emerson

Romney, Holderness Campton & Thornton	Daniel Brainerd, Esq
Lebanon, Hanover, Relhan, Canaan Cardigan & Grafton	——— ———
Lyme, Orford, Warren, Dorchester, Wentworth & Piermont	Israel Morey, Esq
Haverhill, Bath, Lyman, Gunthwait, Landaff & Morristown	John Hurd, Esq
Apthorp Lancaster Northumberland Stratford Cockburn Colburn Conway Shelburne & the Towns above	Abijah Learned.

Friday Dec^{r} 22^{d}, 1775.

Met according to adjournment, and

The Petition of the Committee of Safety of the Towns of New Ipswich, Rindge, Fitzwilliam & Jaffrey (Praying to have Enoch Hale Esq^{r} & William Smiley admitted to sit in this Congress) And also the return made on the Precept which issued to the Towns of Rindge, Jaffrey & Peterborough Slip, being read & Considered,

Voted that Neither of the said Gentlemen shall have a seat in this Congress, They being chosen contrary to the Direction in the Precept from the late Congress.

Voted, To choose a Committee of three Persons to Draw up a Solemn Obligation or Engagement to be entered into by the members of this Congress, and Lay the same before the Congress for their approbation — And that Benjamin Giles Esq^{r} Ebenezer Thompson Esq^{r} & Wyseman Claggett Esq^{r} be the Committee for that purpose.

Whereas Sundry Persons have appeared in this Congress bringing Certificates of their choice to represent Towns & places in this Congress, some of which are certified by the Selectmen, some by the Town Clerk and some by the Moderator of the meeting in their respective Towns & places, and no return being made of the Precepts which issued from the late Congress Directing such choice:

[p. 286.] Therefore Voted, That such persons whose Certificates shew that they were chosen to represent Towns or places to whom Precepts did Issue, shall be allowed a seat in Congress During their present session, after which Time they shall Produce the Precept in consequence of which choice was made, with the Certificate of the Selectmen thereon (of their being chosen) or shall not be any further Allow'd a seat in this Congress.

Voted That the Treasurer & receiver General be Directed to Lay his Treasury accounts before this Congress forthwith for their Inspection & Examination.

Voted, That the Committee chosen to examine & audit the Accounts of the late Treasurer Jaffrey be directed to Lay the state of said accounts (as far as they have Examined them) before this Congress as soon as may be.

Voted, That the Committee of Supplies, the Commissary, the Committee of Safety, the Quarter Master, Barrack master and Engineer, be directed to lay their accounts before this Congress as soon as may be for their Inspection & Examination.

Adjourned to three o'clock afternoon.

P. M.

Met according to adjournment.

Read & heard Sundry Letters & resolves of the Continental Congress.(1)

The Petition of the Inhabitants of Alexandria &c. against the election of Mr. Samuel Emerson as a member of this Congress, being read & considered,

Voted, That the said Samuel Emerson was duly Elected and that he Take his seat in this House accordingly.

The Petition of a Number of the Inhabitants of Rye, against the Election of Nathan Goss, being read, voted That the Parties be heard thereon on Monday next p. m.

The Petition of sundry Inhabitants of Hanover &c. being read, Voted That the consideration thereof be put off till tomorrow.

[p. 287.] Upon the Motion of George Jaffrey Esq^{r}. Isaac Rindge, Esq^{o} & Mr. William Hart, praying to be liberated from their respective Confinements, voted by the late Congress on the sixteenth of Nov^{r} last, the motion being considered,

Voted, That the Determination thereof be suspended till tomorrow.

Upon the Motion of Enoch Hale, Esq^{r}. Voted that a new writ Issue to towns of Rindge, Peterborough Slip and Jaffrey, to send a member to sit in this Congress.

Adjourned till tomorrow morning 9 o'clock.

(1) See Preceding Correspondence, under date of Nov. 30, Dec. 2, and Dec. 4, pp. 674-79.— Ed.

December 23d, 1775.

Met according to adjournment.

Whereas sundry Persons were by the late Congress ordered to confine themselves to certain Places within this Colony &c. It is now voted that the said Persons, viz. Peter Gilman, Esq. Nathaniel Rogers Esqr. Mr. William Torrey, George Jaffrey Esq. Isaac Rindge, Esqr. & Mr. William Hart have leave to go to their respective Businesses for the space of fifteen days, unless they or any of them should be called for sooner; and then to make their appearance before this Congress.

Voted, That Jonathan Lovewell, Jonathan Blanchard & Noah Emery, Esqrs be added to the Committee chosen to make a Dra't of some solemn obligation to be enter'd into by the members of this Congress.

Voted, that Capt. Pierce Long, Samuel Cutts, & Samuel Sherburne Esq. be paid out of the Treasury a sum sufficient to make up to them the Two Thousand pounds Lawful money voted them by the late Congress to Lay out in Cargoes for the Foreign West Indies to procure Arms, Ammunition &c. for this Colony.

Voted, That Mr. Commissary Cutts be paid out of the Treasury one hundred and Fifty Pounds Lawfl money towards paying off the workmen on the Batteries & victualling the Troops, said sum to be by him accounted for.

Adjourned to 3 o'clock.

P. M.

Met according to adjournment.

Voted, To raise and keep in pay Two hundred Matrosses & Artillery men, officers included, for the Defence & Security of the [P. 288.] Battery & Fortifications at and near Piscataqua Harbour, to be Enlisted by Capt. Salter, Capt. Daniel and Capt. Turner and to keep in the service for the term of one year, if not Discharged sooner, and to be commanded by said Captains in the same proportion as they now command:—Said officers & soldiers to be paid the same wages as heretofore — and that the Secretary make out Enlisting orders accordingly.

Voted, That all the officers and soldiers, Excepting the Two hundred Matrosses and Artillery men Be forthwith discharged from duty at the Fortresses at and near Piscataqua Harbour.

Adjourned to Monday next 3 o'clock afternoon.

Monday Decr 25th.

Met according to adjournment.

Upon the motion of Wyseman Clagett, Esqr in behalf of Saml Renkin praying that a 20s Sterling bill of this Colony payable Dec. 25th, 1765, may be redeemed & paid by order of this Congress: Voted in the Negative.

The petition of sundry Inhabitants of Rye, against the Election of Nathan Goss, for a member of this Congress, being read & considered,

Voted, That the prayer of said petition be not granted, but that the said Petition be and hereby is Dismis'd — and that the said Nathan Goss take his seat in the house accordingly.

Adjourned to 3 o'clock afternoon.

Met according to adjournment.

Voted, That the Petition of Mr. John Wheelock agent for the Towns of Hanover, Lebanon, Relhan, Canaan, Cardigan & Grafton, having been read, Debated & understood Be & hereby is Dismist. (1)

Voted, That Ebenezer Thompson, James Britton, Jonathan Blanchard, Jonathan Lovewell, John Dudley & Benjamin Giles, Esq^{r} be a Committee to prepare a Plan of Rules for the order of this Congress, and lay it before this house to-morrow morning.

Adjourned till tomorrow morning 9 o'clock.

Tuesday Dec^{r} 26th 1775.

Met according to adjournment.

[P. 289.] The petition of Barton Pollard (a poor Prisoner) being read & consider'd,

Voted, That the sum of seven Pounds & five shillings be paid out of the Treasury of this Colony towards his Prison charges, Provided he Enlist himself as a soldier in the service of this Colony, and that if he settles his other charges due to the Prison keeper, That he be discharged from Prison; That he within thirty days next coming repair to the Corps into which he shall Enlist (at which time his wages shall commence) or that he be again committed to Prison, and that two thirds of his wages as it becomes due shall be stop'd to Reimburse the Sum paid by the Colony until the whole is paid. The fine laid on him by the Justices who committed him, being hereby Remitted.

Voted, That Capt. Eliphalet Ladd have leave to sail to any of the Foreign West Indies, at his own charge & risque, under such orders & restrictions as this Congress shall see ät.— and that Phillips White Esq^{r}, John Hurd, Esq^{r} & Capt. Ezekiel Worthen, members of this Congress, with Nicholas Gilman Esq^{r} & Capt. John Emery be a Committee to consult & Lay a plan of such orders & restrictions as said Ladd shall be under for that purpose, and lay the same before this Congress as soon as may be.

Voted, That Benjamin Giles & Jonathan Blanchard Esq^{rs} & Capt. Hercules Mooney be a Committee to Examin & audit the

(1) The petition here referred to has not been found —Ed.

Treasurer's Accounts, and make report thereon to this Congress as soon as may be.

Voted, That the time appointed by the late Congress for paying in the Colony tax this year be lengthened out for three Months and that the several Constables and Collectors in this Colony govern themselves accordingly.

Voted, That all the Non-commissioned officers and soldiers belonging to this Colony who have served as such in the Continental Army the Summer past, who have or shall Enlist in said service for the year coming, shall be Discharged from paying a Poll Tax for the year past.

Voted, That Capt. George Turner with his Artillery Company be stationed at New Castle, with all the field pieces under his care to guard & defend that Island against the Landing and assaults of any Enemies till further orders.

Adjourn'd till To-morrow morning, half past 8 o'clock.

— —

[P. 290.] Wednesday, Dec^{r} 27th.

The Congress met according to adjournment.

Whereas a vote of this Congress hath excused all non-commissioned officers & soldiers who served the summer past in the Continental Army and shall Enlist there for the year coming from paying any Poll Tax, It is now further Voted, That on an account under Oath being exhibited to the Treasurer by the Selectmen, of the Number of such soldiers belonging to their respective Towns, and the amount of their Poll Tax to the Colony Tax, the Treasurer shall make a deduction of the same out of the sum such Town was Proportioned to pay into the Colony Treasury this year.

Voted, That such of the members of this Body as think that Blanketts can be procured in their respective Towns & places, be desired to write to, (or otherwise as they find most convenient) inform the Selectmen or Committee of their respective Towns & places, That a Number of Blanketts are greatly wanting for the use of the Continental army, and that it is requested of them within ten days at least from this time, to send to this Congress or to the Committee at Exeter, what number of good Blanketts they can buy in their respective Towns & places, with the prices thereof Assuring them that on the Delivery thereof the money will be paid.

Voted & Resolved, That Samuel Hobart, Timothy Walker & Jonathan Blanchard Esq^{rs} be a Committee to Proceed down to the army, and there Examin the several Pay Rolls of the Captains in the Regiments commanded by the Colonels Stark, Poor & Reid, and see that they are made out in the same manner as Pay

rolls are allowed and paid by the Colony of the Mass^ts^ Bay & sworn to by the Captain of each respective Company (or in their absence by the next officer in command) and after such examination as they shall be satisfied of the Propriety thereof, That the Paymasters may proceed in paying them off.

Orders.

To Samuel Hobart and Timothy Walker, Esq^rs^ Paymasters of the New Hampshire Troops.

You are hereby Directed, when the several Pay rolls of the Companys in the Regiments commanded by the Colonels Stark, Poor & Reid, are passed by the Committee, to Proceed to the payment of each individual or his order, made up & allow'd in such Roll, Taking their receipts therefor, making Deductions [p. 291.] where any Person has received from the Colony, or by their order, any part thereof, whether as Wages or Billeting; or a stoppage where the whole has been received; also allowance for the use of guns according to the votes of this Congress, and where it appears that any officer for his soldiers or any soldiers have received any overplus allowance for Blanketts or otherwise from this Colony, or by their order, That you now stop the same; and make return of all such Rolls to this Congress.

Voted, That the Secretary be directed to write to Mr. Moses Parsons & Direct him to attend this Congress & account for the money he rec^d^ to purchase Guns.

Upon the motion of Capt. Supply Clap for leave to exchange Continentall Bills for Silver and Gold now in our Treasury, — Voted That he have leave to Exchange Five hundred Pounds at the Treasury.

Voted, That Samuel Cutts, Ebenezer Thompson & Ichabod Rollins, Esq. be a Committee to Examin into the stoppages to be made in the Muster rolls of the soldiers in the pay of this Colony, and make account thereof and lay it before this Congress as soon as may be.

Voted, That the Mattroses & Artillery men in the service of this Colony be paid off their wages up to the last day of December Instant, by the Treasurer of this Colony, upon the proper rolls being made up with the proper stoppages therein & returned on oath to this house & allowed.

Voted, That Phillips White, Esq^r^, Capt. Josiah Moulton & Col. David Gilman be a Committee to Examin & pass the Muster Roll of Capt. John Calfe.

Adjourned to half past 2 o'clock afternoon.

Met according to adjournment.

Voted, That Wyseman Claggett & Thomas Tash Esq^{rs} be a Committee to clear out for Jonathan Colcord a Number of Cattle & Sheep to Passamaquaddy (as pr his petition on file) (1) and to take security from him for their safe landing there.

Colony of New Hampshire } Exeter, Dec^{r} 27th, 1775.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 319.]

To all Masters or Commanders of Vessels in the service of the united Continental Colonies or well-wishers of their cause: Greeting —

We the subscribers (Members of the Hon^{bl} Congress for said Colony now sitting at Exeter aforesaid) being a Committee appointed for that Purpose, do now Certify, That Jonathan Colcord of Newmarket in the County of Rockingham and Colony afores^{d}, yeoman, hath obtained permission from the said Congress to export to Passamaquaddy Two 4 year old steers, two Heifers, and eight sheep in a schooner belonging to Messieurs Clark and Wallace, and it is the Pleasure of the said Congress that said Colcord do pass unmolested.

Witness our hands this 27th day of December, 1775.

WYSEMAN CLAGETT
THOS. TASH.

Passamaquady, Jan^{y} 22^{d}, 1776.

To the Honourable Gentlemen of the Congress sitting at Exeter in the Colony of New Hampshire, these may ceartify that the within Named Messieurs Clarke & Wallis have landed the Cattle and sheep herein mentioned in this Cockquet, and these may likewise certifye that it is the pleasure of us as a Committee that the said vess^{l} pass to Piscataqua unmolested and desire all masters of vessels in the Colony's sarvis to protect the said schooner to Pascataqua aforesaid.

Comitte of Safety for Passamaquaddy

ROBERT WILSON
JAMES COCKRAN.

Letter from Col. Samuel Hobart.

[Copied from MS. State Pap., Rev^{n}, Vol. II., p. 308.]

Medford, 23^{d} Dec^{r} 1775.

GENTLEMEN — Agreeable to the order of the late Hon^{bl} Congress, Col^{o} Walker & I proceeded to this place to pay our Troops to the first of August. We was not particularly Instructed how to pay them, but was directed to pay them in the same way that the Colony of the Massachusetts Bay pay their Troops,— in order to know their Establishment, we waited upon the Hon^{bl} Council who favoured us with a copy (here inclos'd) which is different from what we expected. Instead of paying Billeting they pay 1*d* pr mile to the Camp; the number of miles each man travel'd is ascertained in their pay Rolls and the sum due carried off against each man's Name & added to the whole amount of his wages: this together with paying by Lunar months, gives all our Captains the Trouble of making new Rolls & our Colony the disagreeable necessity of paying more money than we expected. They are very explicit in the Colony of the Massch^{ts} Bay in putting all their stopages

(1) This petition has not been found. — [ED.

into their Rolls, guns, blanketts, &c, in order, as they say, that Duplicates may be sent to the Continent to refund the money. If we are to be as explicit in our Rolls, I am affraid they will be imperfect, for the acc^{t} of Guns, Blankets &c. supplyed by so many hands & some of them so Intricate, that it is almost impossible to find out the true state of the matter; however I shall lose no time nor spare any pains in my power to put every thing in as clear & true a light as possible, & shall chearfully receive your commands & obey your Instructions as far as I am capable. Col^{o} Walker will give you any Information about these matters & in particular how much money it will take to complete our Business.

The great dispatch with which the Recruits were lately raised in our Colony & the eager speed of their march to guard the Lines against our unnatural Enemies, has done great Honor to New Hampshire.

Gentlemen, I most heartily wish you the Divine Influence & Direction in the Important matters before you, & am, gentlemen,

your most obedt & Humble servant,

SAM'L HOBART.

To the Honorable Congress
at Exeter.

Letter from General Sullivan.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 307.]

Camp on Winter Hill, Dec^{r} 24th, 1775.

MUCH ESTEEMED GENTLEMEN —

I do myself the Honor of transmitting you by Col^{o} Burnum a Return of the Militia sent by you from New Hampshire. The Troops are exceeding good, their spirit much applauded And your vigorous exertions in procuring and sending them so seasonably meets with a just Reward, — Namely, The thanks of the whole Army. Col^{o} Burnum would have return'd some time since, but one Company did not arrive till yesterday & he could not return till he had mustered them. He has been much Engaged in taking care of the Troops & has been of singular service to them & me. I wish you to make him up in your bill & forward the same for payment before the time of Enlistment is expired.

Gentlemen, I am with much respect your most obedient serv^{t}

JNO. SULLIVAN.

Hon. Committee of Safety.

[To the foregoing letter, on a separate slip of paper, the following Note was added. — ED.]

Col. Burnum has to his great Honour exerted himself greatly in this matter & his influence has increased the Enlistment very much (we could wish every one of the Field officers had shown the same disposition) he is now going forward to hasten & muster the Companies & accompany them to the Camp. We recommend him to your Notice as a man very deserving especially for his extra zeal in this manoe^{vr}.

Portsmouth Memorial.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 309.]

To the Honourable Congress of the Colony of New Hampshire, now convened at Exeter for the preservation of the Lives, Liberties & Properties of the Inhabitants of said Colony.

The Memorials & Remonstrance of the Inhabitants of the Town of Portsmouth in Town meeting assembled, humbly shews:

That the great rise of Goods has given much uneasiness not only to the Inhabitants of this Town, (already being much distressed by being the Frontier & the total Loss of its Trade) but also to those of the Colony in general:

Altho' the Honorable Continental Congress have recommended that the Committees of the several Towns should regulate this matter, yet inasmuch as we have been informed, that Goods, altho' high here, are higher at Newbury & Salem & higher still at Cambridge, wee are of opinion that it is too extensive as well as too delicate an affair to be in the power of any Town Committee to rectify. Wee therefore look up to the superiour Wisdom of the Congress intreating that they will take up the Matter on a general plan and afford such reliefe as the nature of the case requires. And your Memorialists will ever pray &c.

JOHN PENHALLOW, Town Clerk.

Portsmouth, Dec^{r} 25th, 1775.

Instructions to the Representatives of Portsmouth, New Hampshire.

Portsmouth, N. H., December 25, 1775.

Last Monday, at a publick town meeting, the following gentlemen were chosen Delegates to represent this town in Provincial Congress now convened at Exeter; and, by a Committee appointed to draw up Instructions for them, they were the next day unanimously voted by the Town.

To Samuel Cutts and Samuel Sherburne, Esqrs., and Captain Pierce Long.

GENTLEMEN: As the approaching session of the Congress will be attended with the consideration of matters of more importance than ever came before any body of men in this Colony, your constituents desire your strict attention to these their instructions, supposing your motives in accepting our choice of you to be those, alone, of promoting the public good. The precept sent to this town for the choice of Delegates, mentions our taking up a form of government in this Colony. This we conceive to be a measure to be entered on with the greatest caution, calmness and deliberation. We are of opinion that the present times are too unsettled to admit of perfecting a form, stable and permanent; and that to attempt it now would injure us, by furnishing our enemies in Great Britain with arguments to persuade the good people there that we are aiming at independency, which we totally disavow. We should therefore prefer the government of the Congress, till God, in his providence, shall afford us quieter times.

If, however, the Congress shall think proper to establish a new form of government, we enjoin you that no private pique or prejudice may seclude from the appointment to any place of honor or profit men of approved honour and integrity; whether members likely to be appointed to such places, who you have every reason to think sought an election, that you do everything in your power to prevent their appointment.

The courts of justice in this Colony, you are sensible, have long slept. We earnestly require you that you use your influence in the Congress that the law may have its course, not only for the punishment of offenders but to enforce the payment of just debts, under such regulations as the Congress, in

their wisdom, shall think proper. As the dastardly and inhuman behaviour of the persons hitherto intrusted by the British Ministry to execute their designs against America, convince us that they will take all advantages of the weakness of any part, while they artfully avoid all such as are in a situation to make a resistance we desire you will pay proper attention to the further fortifying and guarding the port of Piscataqua, now the frontier of the Colony; and that in general, you spare no pains to have every part of this Colony in a state of defence. At the same time, however, that we give you this instruction, we recommend it to you that, if a plan of accommodation be proposed, the completion of which will terminate in an honourable settlement of the present disputes, you give your assent thereto; and we the more readily advise this, because we are by no means of opinion that the present measures are countenanced by the British nation in general (ever remarked for their true valour and love of freedom, and who when they are fully acquainted with the dispute, will undoubtedly approve the conduct of their sons, so like that of their ancestors at the Revolution) but rather that they are the schemes of a set of men lost to every sentiment of true honour, and sunk into a state of dissipation and luxury, which they are endeavouring to support by subjugating the most loyal subjects their master could boast of.

As we are firmly persuaded the measures we are taking for the preservation of our freedom are highly justifiable in the sight of God and man, we are determined to hazard our lives and fortunes in the prosecution of them, convinced that our brethren in every part of the colony are actuated by the same motives, and will readily pay their proportion of the publick expense: You will, therefore, be careful to see that the proportion be equitably adjusted with respect to this town, which has already greatly suffered by the loss of its trade, almost its only support, and of the revival of which there is at present no prospect.

We particularly recommend that you strictly guard against every measure that may have a tendency to cause disunion; and that, at all times, you keep sight of this recommendation, as a disagreement among ourselves is what our enemies are earnestly wishing for, and, consequently, what we should be more particularly careful to see them disappointed in. You will use your endeavours that any Committees of Safety which may be appointed by the Colony Congress, may be directed, in their recess, to sit in this town, which, in all probability, will be the seat of action, and may want the readiest assistance; and that the said Committee be kept under short adjournments. We entertain the highest and most grateful sense of the merit and bravery of such of our brethren as, at this time, are called forth to "jeopard their lives in the high places of the field," and hope this Colony will be behind hand in none, to see that they are properly rewarded, taking due care, at the same time, to keep up the very just and necessary line of distinction between the civil and military powers.

You will, from time to time, inform the Town Committee of Safety of such matters of importance as are proposed to be transacted in Congress, and take their advice and instruction thereon, or that of our constituents in town meeting assembled, if the said Committee shall think proper.

Resolution of the Continental Congress.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 313.]

In Congress, Decem^{r} 26, 1775.

The report of the Committee to whom was referred a Paragraph of Lord Sterling's letter to the Congress complaining that several of his recruits had been arrested and imprisoned for trifling debts, being taken into consideration was agreed to as follows:

The Committee have reason to believe that divers persons either from inattention to the public good or with a design to retard the recruiting Ser-

vice, have arrested & imprisoned for very trifling debts many soldiers who had engaged to risque themselves in defence of the rights and liberties of America, and as it has always been found necessary in time of war to regulate & restrain a practice of such pernicious tendency & in such cases to abate the rigor of the Law:

Resolved, Therefore that it be recommended to the several Legislatures in these Colonies, whether Assemblies or Conventions, to pass acts or ordinances prohibiting the arrest of Continental soldiers for small debts, And in order that the same rule may pervade all the Colonies, that no such soldier be arrested at the suit of any of his creditors, unless the said creditor make oath that the said soldier is justly indebted to him in the sum of thirty-five dollars over & above all discounts, and that the estate of no such soldier be liable to attachment at the suit or for the benefit of all his creditors, unless their debts in the whole on being ascertained by their oaths shall amount to more than one hundred & fifty dollars.

Extract from the minutes,

CHAS. THOMSON, Secy.

Voted That Collo Timothy Walker receive out of the Treasury Nineteen hundred Pounds to pay off the Troops at Head Quarters in the service of this Colony, up to the first of August last past.

[P. 292.] Voted, That this Congress will take up Government in such mode & Form as this Congress shall hereafter think fitt.

Voted, That a Committee be chosen to draw up a Plan for the Government of this Colony, During the Present Contest with Great Britain, and that the said Committee consist of Fifteen Persons, and that the Honble Matthew Thornton, & Meschech Weare Esqrs, Mr. Secry Thompson, Wyseman Clagett, Benjamin Giles, Phillips White, John Hurd, Israel Morey, Samuel Sherburne, Clement March, John Dudley, James Britton, Noah Emery, Jonathan Blanchard and Jonathan Lovewell, Esqrs, be the Committee for that Purpose

Adjourned to to-morrow 1-2 past 8 o'clock.

Thursday Decr 28th.

Met according to adjournment.

Voted That John Calfe's Muster roll amounting to Forty nine pounds & eleven pence be allow'd and paid off by William Parker Esq.

Voted, That John Hurd, Wyseman Clagett & John Giddinge, Esqr., Capt. John Emery and Mr. Joseph Gilman be a Committee to Examine & settle all the accounts of those persons who have had monies out of the Colony Treasury for Publick use, and all other accounts against the Colony, and to make report thereof to the Congress or General Assembly as soon as may be.

Voted, That Samuel Cutts Esqr, have an order on the Treasury for one hundred pounds to be by him accounted for.

Upon the Question being put whether this Congress will at any

Time Take up Civil Government to continue during the Present contest with great Britain, and Resolve themselves into a House of Representatives and then choose a Councill to continue one year from the Twenty-first day of December Current, It was voted in the affirmative.

Adjourned to 3 o'clock afternoon.

Dec. 28, 3 o'clock afternoon, met according to adjournment.

[p. 293.] Voted, To choose a Committee of this Congress to Frame and bring in a Dra't or Plan of a new Constitution for the rule & government of this Colony, and that the Hon^ble^ Matthew Thornton, Meshech Weare, Ebenezer Thompson, Wyseman Claggett & Benjamin Giles Esq^rs^ be the Committee for that Purpose, and that they Enter upon that Business immediately.

Voted, to choose a Committee of six persons, to join the former Committee to make a Dra't of an oath or obligation to be Entered into by the members of this house — and that Col. Hurd, Capt. Prentice, Maj^r^ Tash, Coll^o^ Walker, Col. Morey & Mr. Blanchard be of the said Committee.

Adjourned till tomorrow morning 9 o'clock.

Friday, Decem^r^ 29^th^.

Met according to adjournment.

Voted, That the consideration of the matter of an Oath or Obligation on the members of this Congress be put off to a Future Day, and that Col^o^ Walker & Mr. Blanchard be a Committee to make Enquiry at the Gen^l^ Court at Watertown of the means of their qualification as a General Court, and of the mode of Qualification of their Civil Officers, and transmitt attested Copies thereof to this House as soon as may be.

Voted, That Mr. Blanchard be excus'd from attending Col^o^ Walker as a Committee to pay off the soldiers at Head Quarters & to Enquire of the Gen^l^ Court at Watertown concerning their mode of Qualification of their Court & of the Civil officers in that Colony — and that Col^o^ Israel Morey be of said Committee in the room & stead of Mr. Blanchard.

Voted, Not to augment the wages of the Matrosses and Artillery men at and about Piscataqua Harbour.

Voted, That Phillips White, David Gilman Esq^r^ & Capt. Josiah Moulton be a Committee to Examine all muster rolls that are or shall be brought to this house for allowance & payment, & to report them to this house.

Voted, That Pelham be annexed to Londonderry Regiment, under the command of the Hon^ble^ Col^o^ Thornton.

Adjourned till tomorrow morning 9 o'clock.

[P. 294.] Saturday, Dec^{r} 30th.

Met according to adjournment.

Voted, That John Hurd, John Gidding Wyseman Clagett Esq^{rs} Capt. John Emery & Mr. Joseph Gilman, the Com^{tee} appointed by this Congress to audit the accounts of all Persons who have accounts open with this Colony, Be also Impowered to examine into the Purpose, occasion & Direction which such Persons had when they receiv'd the Publick monies — and that they make remarks of any charge against the Colony in any accounts Laid before them not supported or authorized by vote of Congress or of Assembly & report the same.

Voted, That the additional pay roll of Benjamin Butler amounting to Eight shillings be allowed & paid by William Parker Esq.

Voted, That Capt Joseph Wait, Capt. Ezekiel Worthen & Major John Bellows, be a Committee forthwith to repair to New Castle and Examine & make report to this house What men & Cannon will be Necessary to be stationed there, and in what manner.

A motion being made in behalf of Josiah Walton, a soldier in Col. Reid's Regiment, who was wounded in the Battle of Bunker's Hill on the 17th of June last, That Doctor William Stinson's account for attendance & Dressings, amounting to Eleven pounds & Eight pence, and also the account of Josiah Walton, father of said soldier for Board, Nursing &c. amounting to three pounds & twelve shillings, may be paid by this Colony —

Voted, That it appears to this Congress that the said account of said Doctor Stinson is overcharged, and that a Deduction ought to be made thereon: Therefore the receiver Gen^{l} of this Colony is Directed to pay the said Josiah Walton, jun^{r} the sum of six pounds sixteen shillings & eight pence in full for said Dr. Stinson's account and the full of said Josiah Walton's account for Board, Nursing &c. amounting to three pounds twelve shillings, the whole being Ten pounds Eight shillings & eight pence Lawf^{l} money.

[P. 295.] Voted That John Giddinge & Joseph Badger Esq^{rs} be added to the Committee for forming a Plan for the Government of this Colony.

Voted, That Capt. Ezekiel Worthen be paid out of the Treasury Ten Pounds, to be by him accounted for.

Voted, That this Congress be adjourned to Tuesday the second day of January next at three of the clock in the afternoon to meet at the Town house in Exeter and is adjourned accordingly.

[P. 295.] Tuesday, January 2^{d}, 1776.

Met according to adjournment. Voted that the consideration of the matter concerning Capt. Turner & his Company of Artillery (being now reported by the Committee sent to New Castle)

be put off till to-morrow, or untill the members from Portsmouth are present in Congress.

Voted, That Robert Holms a soldier in Capt. George Jerry Osborn's Company (who was by accident left out of the Roll) be paid out of the Treasury Eighteen shillings & six pence in full for his wages, which ought to have been Enter'd upon said Roll.

Voted, That Capt. Salter & Capt. Daniel of the Matrosses & Capt. Turner of the Artillery be sent for to appear before this Congress Tomorrow to answer for their past conduct in their several Departments.

Voted, To choose a Committee of Ways and Means, to Lay a Plan for sinking the Colony Debt, & to make report to this Congress, and that Samuel Sherburne Esq^{r}, Benjamin Giles Esq^{r} Maj^{r} John Bellows, Jonathan Lovewell Esq^{r} & Capt. Nathaniel Sartel Prentice be the Committee for that Purpose.

Adjourned till tomorrow 9 o'clock.

Wednesday Jan^{y} 3^{d}, 1776.

Met according to adjournment.

Upon reading & considering the Petition of Capt. William Pearne (1) praying for leave to send a vessel to Maryland for the purpose of Importing Corn into this Colony,—Voted that the said William Pearne have liberty to send a vessell on said voyage, Provided he give Bond to the Committee of Safety of the Town of Portsmouth with Sureties in a sufficient Sum, That the master of said Vessell shall Proceed on said voyage according to the Declaration of said Petition and by no means Break or Intrude any Resolve or Declaration of the Continental Congress.

[P. 296.] Voted That Benjamin Giles, Esq. Major John Bellows, Cap^{t}. Nath^{l} Sartel Prentice, Mr. Thomas Sparhawk, & Mr. Elijah Grout be a Committee to Examine & Try Capt. Benjamin Sumner, Samuel Cole, Esq^{r} the Rev^{d} Mr. Ranna Cossit (2) and Eleazer Sanger Persons Reported to be Enemies To the Liberties of this Country & on Conviction thereof to inflict such Penalties or Punishment, as they shall see fit, not exceeding Fine or Imprisonment, Saving an appeal to this house or General Court.

Adj^{d} to 3 o'clock afternoon and then met.

Voted that Ebenezer Thompson & Benjamin Giles Esq^{r} be a Committee to draw a letter to the Massachusetts Gen^{l} Court to

(1) The Petition of Capt. Pearne has not been found.—Ed.

(2) Rev. Ranna Cossit was the first minister of the Episcopal church in Claremont; he sailed for England to obtain holy orders in December, 1772; was ordained by the bishop of London, and returned next year and took charge of the church in Claremont. He was recalled by the bishop to the island of Cape Breton in 1785. [See N. H. Reg. Farmer & Moore 1823. Also "Association Returns," Claremont.]—Ed.

be signed by the President Signifying the minds of the house concerning the Inhabitants of Long Island in Penobscot Bay their Furnishing our Enemies with Fuel, Potatoes &c. and that said Letters be sent by Mr. John Tufft.

Voted That Major Welch be paid out of the Treasury Two pounds, Nineteen Shill & six pence in full for his supporting Troop in marching to Portsmouth.

Voted That Capt Caleb Hodgdon be paid out of the Treasury twenty seven pounds eight shillings in full for his Account For Blanketts &c.

Voted That Peter Gilman, George Jaffrey, Nathaniel Rogers & Isaac Rindge Esq^{s} Capt. William Torry and M^{r} William Hart be Liberated from their confinement till Further Orders.

Adjourned till Tomorrow morning 9 o'clock.

Jan^{ry} 4th 1776 — Met according to adjournment.

Voted That Doct Nathan Cutler's account amounting to three pounds six shillings and five pence be allowed & paid out of the Treasury.

Voted That the account of Amos Gage & Philip Richardson Selectmen of Pelham amounting to seven pounds, seven shillings & six pence for Blanketts be allow^{d} & paid out of the Treasury.

Voted That Col. Weare, Col Hurd and Mr. Cutts be a committee to Dra't a Letter to Gen^{l} Washington, another to Gen^{l} Sullivan & another to Col Hobart concerning Coll Stark's behaviour to Col. Hobart & lay them before this house.

Letter to General Washington Relating to Col. Hobart's Treatment by Col. Stark.

[Copied from MS. State Pap. Rev^{n}, Vol. III., p. 3.]

Sir — A complaint (1) being made to the Congress of this Colony by our pay-master Col. Sam^{l} Hobart Esq. residing at Medford that he has within a few Days past been extremely ill treated by a party of Col^{o} Stark's Regiment without any apparent just cause, By which means a sum of money to the amo^{t} of Two hundred & sixty pounds has been pilfer'd from him, and at the same time the Honour of the Colony was highly reflected upon.

We must beg leave to lay before your Excellency a Copy of Mr. Hobart's letter in w^{ch} he particularly relates his case, being the only Evidence we have at present, and to request that an immediate Inquiry be made into the matter by such means as your Excellency may think most proper — that the persons who may be found culpable, receive the Punishment their ill behaviour may merit — that this Colony may not sustain so great a loss of money, & those illiberal Reflections be wiped out by suitable acknowledgments.

(1) The complaint made by Col. Hobart has not been found; the nature and substance of it, however, may be inferred from the acknowledgment made by Col. Stark, which will be found in order, under its proper date.—Ed.

We are sorry to trouble you with these complaints at this critical time when your mind must be fully employ'd upon affairs of the greatest moment, but the abuse which Mr. Hobart as an officer of this Colony appears to have suffer'd claims some notice and We trust will plead our Excuse.

In behalf of the Congress I am with all due Respect,
Your Excellency's
Most ob^{t} hum^{b} serv^{t}

M. T., Pres^{t}.

Colony of New Hamp^{r}
Exeter 4th Jan^{y}, 1776.

To his Excell^{y} General Washington.

Letter in Answer to the Complaint sent to Gen. Washington against Col. Stark.

[Copied from MS. State Pap. Rev^{n}, Vol. III., p. 29.]

Cambridge, 11th January, 1776.

Sir —

Your letter to his Excellency of the 4th Instant is received with Mr. Hobart's Letter to your Honorable Convention inclosed. The complaint made by this Gentleman you may be assured shall have a fair & just enquiry made into it. This wou'd have been done imediately on receipt of your Letter, if Colonel Stark was in Camp. His Excellency communicated the matter of Complaint to General Sullivan, who cou'd not give him any positive opinion until Colonel Stark returns: when he does, all proper attention will be paid by the General to the subject matter of your letter.

I have the honor to be, Sir,
Your most Humble and obedient servant

Stephen Moylan, P. T. S.

Hon^{ble} Matthew Thornton.

[P. 297.] Voted That Cap^{t} Long, Cap^{t} Wait & Ichabod Rawlins Esq^{r} be a Committee to Lay a plan for orders & Restrictions to be Laid on Cap^{t} Eliphalett Ladd before he sail to the Foreign West Indias according to a Vote of the 26th December last and lay such plan before this Congress.

Voted That the late Treasurer Jaffrey Pay what Colony monies he now has in his hands to Nicholas Gilman Esq the Present Treasurer & take his rec^{t} therefor.

Upon reading the Petition & complaint of Stephen Bartlett & others agents for Newtown against Joseph Bartlett Esq^{r} — Voted that the Petitioner Notify the said Joseph Bartlett Esq^{r} to Appear before this house tomorrow at three of the clock afternoon.

Voted That the Matrosses & Artillery men in the pay of this Colony be paid the same wages in this colony as at Head quarters.

Voted That. Phillips White Esq, Col David Gilman & Cap^{t} Josiah Moulton be a committee to settle the Ranks of Cap^{t} Salter Cap^{t} Daniel and Cap^{t} Turner and report thereon to this house.

Instructions to Capt. Titus Salter, Jan 5, 1776.

[Copied from MS. State Pap. Rev^a, Vol. III., p. 9.]

To Captain TITUS SALTER —

You are hereby authorized and Impower'd to Enlist a Company to consist of ninety good able Bodied and effective men including Officers, to serve as Matrosses at Fort Washington for the term of one year from the first of January Cur^t unless Dismiss'd sooner by order of y^e Congress or General Assembly of this Colony, accepting none but what are well accoutred with good guns &c. And you are hereby Informed that you may Assure said men they shall be paid the same wages that men in the like service are paid in the Continental Army. You will likewise have liberty to nominate Two Persons to serve as subalterns under you, who if approved of by the General Assembly will be commissioned; — and make return of your Enlistment as soon as may be that the Company may be properly mustered & Commis^s made out accordingly.

By order of Congress, Jan^y 4^th 1776.

Voted That the several Colonels of the several Regiments of Militia & of minute men be & hereby are Directed to settle their respective Regiments Forthwith, and make return of their respective officers to this house or to the Council on or before the first Wednesday in Feb^y next, if this house or Council be then sitting and if not then on the second day of their sitting after that time — and that a copy of this Vote be sent to each of the said Colonels, in order that the minute men be forthwith Enlisted.

Adjourned till tomorrow morning 9 o'clock.

Friday Jan^y 5^th 1776. Met according to adjournment.

Voted That Capt. Titus Salter & Capt. Eliphalet Daniel be appointed to go over to the Isles of Shoals and Inform all the Inhabitants there that it is the opinion of this Congress that the situation of said Islands are such that the Inhabitants are expos'd to our enemies in the Present unhappy controversie and may be obliged (by their weak Defenceless circumstances, & Inability to Defend themselves) to assist our enemies, and that for said reasons it is absolutely Necessary that they should Imediately remove with their effects to the main Land to such place or places as they shall chuse & to tarry During the present Dispute — and provided they neglect to comply herewith for the Term of ten days after this Notice That they be Informed that they must be bro't off by authority.

[Report of the abovesaid Committee.]

Pursuant to the above vote of Congress we repair'd to the Island of Shoales the 16th Instant being the First favorable opportunity that offer'd and after communicating to the Inhabitants the contents of the vote of Congress we proceeded to number the Inhabitants and underneath are the different numbers on each Island.

Star Island	Men	31	
	Women	34	
	Children	94 =	159
Hog Island	Men	13	
	Women	13	
	Children	29 =	49
Smutty Nose	Men	2	
	Women	2	
	Children	15 =	19
	Total		227

Jany 18th 1776.

[P. 298.] Voted that the account of losses and charges of the funeral of Major Andrew McClary amounting to ten pounds eight shillings be allow'd and paid out of the Treasury. (1)

NOTE BY THE EDITOR.

The next and last vote passed by the Fifth Provincial Congress, Exeter January 5th 1776, was "*That this Congress take up Civil Government.*" The proceedings relative to this important measure, constituting a new era in our political history, and including the adoption of the FIRST CONSTITUTION OF THE STATE OF NEW HAMPSHIRE, will be found in full in the "*Journal of the House of Representatives,*" in the succeeding volume, VIII., of the Documentary history of the State: which volume the Editor has already in course of preparation, and hopes to complete in due time. It will contain all the Records and Documents of New Hampshire, pertaining to the period of the American Revolution.

(1) See ante p. 598.— ED.

MISCELLANEOUS DOCUMENTS.

Sundry documents relating to Surveys, Boundaries and population of New Hampshire in addition to those contained in the preceding pages.

No. I.

[Copied from Belk. Hist. N. H. Vol. III., pp. 299, 300. 1812.]

Description of a survey made by JAMES GRANT, one of Capt. Holland's party, in 1773 or 1774, to explore the country for a road, between the upper part of Connecticut river, and the river of St. Francis.

	Course	Dist
	N.	M^s.
From the mouth of Leach's river, which falls into Connecticut river on the west side, near the 45th degree of latitude up to the eastern side of Leach's river		1 1-2
Thence to cross said river among the mountains	N 30 W	3 3-4
Thence to the height of land	N 30 W	3
Thence to a pond under the eastern side of a mountain	N 30 W	3
Thence to another pond	N 10 W	5 1-4
Thence on the same course	N 10 W	4 1-2
Thence to a small river which falls into Memphrimagog river	N 21 W	16
Thence across said little river to the lower crotch of Memphrimagog river	N 21 W	5 1-2
Thence crossing Memphrimagog river, a strait line on the N. W. side, to its junction with the river St. Francis	N 30 E	1 1-2
		44

The country from Connecticut river to the Height of land is very hilly, with high mountains on the east and west of the line run, in the direction of which a road may be conveniently made.

From the Height of Land to St. Francis river there is a gradual descent through a plain country; the soil in general of a good quality, and in some parts extraordinary fine; particularly for about four miles beyond the Height of Land, and for twenty miles on this side of St. Francis river; which river, with its branches, are bordered with fine intervales.

The principal growth between the Height of Land and St. Francis River, is beech, maple, birch, hemlock and fir; very few white pines, and no oak of any sort; many cedar, spruce and hemlock swamps intervene; but none so morassy as to impede a road, for which this extent of country in the direction above described, is in general as well adapted as possible.

No. II.

Report of a Committee of Council relative to Conway and the North line of the Province of New Hampshire.

[Copied from MS. "Prov. Boundaries 1677–1767" in Sec^{ys} office.]

May it please your Excellency —

On your Excellency's laying before his Majesty's Council the Representation of the Inhabitants and proprietors of the Township of Conway in this Province, that they are prevented from complying with the conditions on which his Majesty was pleased to grant the said Township to them, by the Incroachments & vexations of sundry settlers under pretence of a grant from the Province of the Massachusetts Bay, & that they pray your Excellency's protection & assistance;

We were appointed a Committee to furnish your Excellency with a state of the controversy in the said Township. In Pursuance whereof we beg leave to Report that the said Township of Conway was granted by the late Governor in the year 1765, that it is bounded on one side upon the Northerly boundary line between this Province & the old Province of Main, now belonging to the Province of the Massachusetts Bay, & that the Justice or Injustice of the Complaint made to your Excellency depends solely on this, Whether the said Line was run where it ought to be. In order to throw light on this Question, we further report to your Excellency that a controversy had long subsisted with the Province of the Massachusetts Bay, concerning the boundary lines between the two Provinces. That in the year 1737 his late Majesty was pleased by a Commission under the Great Seal to appoint five of the Council from each of the Colonies & Provinces of New York, New Jersey Nova Scotia & Rhode Island to settle the controversy. The Commissioners met at Hampton on the first day of August 1737 & Proceeded to the Business, & after several adjournments, the Parties having been fully heard & their evidence, Pleas & allegations fully considered, the Commissioners Enter'd up their Judgement, the latter part of which being all that relates to the present Dispute, & runs in the following words, viz. "And as "to the Northern Boundary between the said Provinces, the Court resolves "& Determines that the Dividing line shall pass up thro' the mouth of Pis- "cataqua Harbour & up the middle of the River into the River of Newiche- "wanock (part of which is now called Salmon Falls) & thro' the Middle of "the same to the furthest Head thereof & from thence North two Degrees "Westerly, until one hundred and twenty miles be finished from the mouth "of Piscataqua Harbor aforesaid, or until it meets with his Majesty's other "Governments, & that the dividing line shall part the Isles of Shoals & run "thro' the middle of the Harbour between the Islands to the sea on the "southerly side & that the south westerly part of the said Islands shall lie in "& be accounted part of the Province of New Hampshire, & that the North- "easterly part thereof shall lie in & be accounted part of the Province of the "Massachusetts Bay, & be held & Enjoyed by the said Provinces respectively "in the same manner as they now do, & have heretofore held & Enjoyed the "same; & the Court do further judge that the Cost and Charge arising "by taking out the Commission, as also for the Commissioners and their "officers, viz: the two Clerks, surveyor & Waiters for their travelling Ex- "pences & attendance in the Execution of the same, be equally born by the "said Provinces.

Both parties appealed from the Judgement of the Commissioners to his Majesty in his Privy Council, and the Province of the Massachusetts Bay in their Bill of Exceptions, object to the line in question for this reason, That it should ru nNorthwestward & not North two Degrees Westerly; but that they offer not any exceptions to that part of the River which the Commissioners had considered as the furthermost Head thereof.

This part of the Determination concerning the line in question, after a hearing of the parties on the appeal was affirmed, & a final Judgement given between the two Provinces, by the King in Council in the year 1741, & Governor Belcher then Governor of both Provinces, received a Copy of the Commissioners Plan of the King's Instruction, to cause the lines to be run according to the said final Judgement on pain of his Majesty's highest displeasure, and a Removal from his Government. Whereupon Governor Belcher came into the Province & ordered the Lines to be run according to the said Instructions. The Northerly line now brought into question was seen by Walter Bryent Esq^r. an experienced Surveyor of Lands in the Woods, who was appointed thereto & sworn by Governour Belcher to the due and faithful Discharge of the trust; and proper chainmen were also duly sworn to the faithful discharge of their trust in the marking said Line.

Accordingly Mr. Bryent went up with them to Newichewanock River & ascended that Branch of it described in the Commissioners Plan until he came to the large Ponds at the furthermost Head thereof, from thence he began to mark the Line in Question & proceeded therein as far as at that time he durst on account of the Indians. This survey Governour Belcher return'd to the proper office at home, where it now lays upon Record.

These are all the principal Facts relative to the running this line; but the settlers under the Massachusetts Bay now say that Bryent did not take the main Branch of the River; We have just grounds to assert the very contrary that he did take the main Branch of the River; & we should now offer to your Excellency our Reasons for this assertion but that we think it wholly foreign to the matter under consideration, which is briefly this: not whether Bryent ascended the Main Branch but whether he ascended the Branch mark'd as the main River in the Commissioners Plan sent to Governor Belcher as part of his Instructions, & that he did so, will appear on comparing his Return and survey with the said Plan, & is a fact that is Indisputed by either Party.

Thus after a formal & final Decision of this Boundary of the Provinces, by a Judgement of the Commissioners, affirmed by the King in Council and an acquiescence therein on both sides for twenty-six years, the Dispute is now Revived, the King's jurisdiction in this Province is Incroached upon & the Line that was fixed by such high authority is set aside by one party, who in contempt of the King's final Judgement have boldly made grants on this side of the Line on no better Pretence than that the Commissioners mistook the main Branch of the River, when if there was any Reason to suppose such a mistake it ought & it undoubtedly would have been offered in Argument either before the Commissioners, or on Appeal before the King in Council; but surely it is now too late to offer it, even if it was Fact — which in truth it is not.

And we must further observe to your Excellency that if either of the partys have reason to object to Bryent's line it must be this Proviuce, for there is Reason to think that by accident, not having upon the spot the Plan sent to Governor Belcher he begun the Line one mile to the Westward of the place which the Commissioners had called the Head of the River, whereby this Province lost the Breadth of one mile upon the whole length of their line; yet this mistake tho' soon discovered, the Province have acquiesced under, to avoid litigating a matter anew that had been the subject of so much uneasiness.

We would further remark to your Excellency that the Judgment of the Commissioners directs that all the charges of taking out the Commission &c. shall be equally born by both Provinces. This part of the Judgement was also affirmed by the King in Council, but the Province of the Mass^a Bay refusing to do their Duty therein, *this Province*, badly able as they were at that time to bear so great a charge, yet chearfully *paid the whole* in hope's that with time & due reflections their Neighbours would come to a better mind & reimburse it; but this has not as yet happened & the Province remains as yet unpaid.

Upon the whole matter it appears to us that the Line in Question was justly run & not Exparte, by New Hampshire, but that Bryent was order'd & appointed thereto by the authority of Governour Belcher, in the capacity of Governour of both Provinces, & in obedience to the Instructions he had received for that purpose and without the advice or concurrence of either the Council or Assembly of this Province, & it appears to us that Bryent ascended the River laid out as the main River on the Commissioners Plan & that his Survey was return'd by Governour Belcher to the proper office at home where it now lays upon Record.

Prov[e] of New Hamp[r] August 12[th] 1767.

THEODORE ATKINSON
PETER LIVIUS
D. PEIRCE
GEO: JAFFREY,
} Committee.

No. III.

Report of a Committee of both Houses of the Massachusetts Assembly, respecting the New Hampshire line, December, 1766.

[Copied from Belk. Hist. N. H., Vol. III., App., p. 291. 1812.]

The Committee to whom was referred the affair of the line between the province of Maine, now a part of the Massachusetts Bay, and that of New Hampshire, beg leave to represent the facts as they appeared to them.

The Commissioners appointed by his late Majesty King George the second, to settle the line between the two Governments aforesaid, A. D. 1737, reported the same to begin in the middle of the mouth of Piscataqua Harbour, and up the river Newichawanock, a part of which is called Salmon fall, and through the middle of the same to the farthest head thereof; and from thence north two degrees west, until one hundred and twenty miles be finished from the mouth of Piscataqua harbour, or until it meets with his Majesty's other governments. Governor Belcher, who was then at the head of both Provinces, in the winter of the year 1740-1, moved the assembly of the Massachusetts to appoint a Committee to join with those of New Hampshire in order to run out and mark the aforesaid line, agreeable to the determination of the Commissioners aforesaid. But the Assembly, after several motions made to them, referred the consideration of this affair to the then next May session. Governor Belcher soon after met the Assembly of New Hampshire, who upon a motion made to them of running the line aforesaid, complied, and in the month of March 1741, proceeded on the affair *ex parte* beginning at the head of the easternmost and smallest branch of the aforesaid river, and run twenty five or thirty miles into the country. This was performed by Walter Bryant, by order from Governor Belcher; and however imperfect this survey was, that Government have returned it, together with a plan thereof; but the royal approbation in Council is had in the words of the Commissioner's report, above-mentioned, without having any regard to the survey aforesaid, and it has been found, by the most careful examination, that the river is much larger than the branch from whence the said Bryant then took his departure; and this appears by his own evidence, together with Capt. Gowing's and Warren's, And your Committee beg leave further to observe, that, by the plan taken by Bryant, and by the government of New Hampshire lodged with the Board of trade, a copy of which we have received from that Province, it appears that the easternmost branch of the River aforesaid, which the surveyor then took, runs about north and by east; and by the plan sent home by the commissioners, taken by Mr. Jaffrey, and which accompanied their report of the settlement of the line, in 1737, it appears that the river, there laid down, runs north northwest (a copy of

which is here authenticated) which exactly agrees with the middle or main branch, and is what this Province claims to; so that by comparing the two plans, it appears Mr. Bryant was mistaken in taking a pond at the head of the East branch, which he called Lovell's Pond, when he should, agreeable to the Commissioners report have taken the middle or main branch of the river, where was a pond then called, and many years before and since known by the name of Lovell's pond, and to this pond Mr. Bryant himself carried our Committee in 1766, and declared that was always called Lovell's pond, which lies at the head of the river, and as those two branches are at six or seven miles distance, at right angles at the head, a large tract of land near six miles wide and sixty or seventy miles in length, was taken into New Hampshire government, that ought to have remained to the Massachusetts. Upon the whole it evidently appears to your committee that there was a mistake made in the commencement of the line in part pretended to be run by Mr. Bryant in the year 1740–1, and that the same was not then run out is as evident. And from the year 1763, all possible care has been by this government taken to rectify this mistake. Committees have once and again been appointed by this Court to join with New Hampshire in order thereto, but without success. However, as to the propriety of this Court's pursuing the controversy under its present circumstances, your Committee having reported the facts submit to your honor's consideration.

BENJA. LINCOLN, per order.

No. IV.

Letter from Walter Bryant to Rev. Dr. Belknap, relating to the same subject.

[Copied from Belk. Hist. N. H., Vol. III., p. 294.]

New Market, Oct. 9, 1790.

DEAR SIR—

Yours of the 27th ult. received, and in answer to your request, I can inform you, that about 1766, the Massachusetts General Court appointed a Committee (Col. Lincoln, Col. Bagley and Esq. Livermore) to inquire and examine into a mistake, which some in that Government supposed I had made, in running the Province Line from the head of Salmon Falls river which Committee applied to the then Governor, Benning Wentworth, of New Hampshire, to join in such examination, who accordingly requested me to attend the Committee, and also appointed Col. John Wentworth, of Somersworth, a justice of the Quorum, to take my deposition on the spot, if necessary, to give the committee full satisfaction. Accordingly the said Committee, with Col. Wentworth, myself, and about five or six assistants, went up Salmon Falls river to where the branches met, and viewed it well, and from thence we went up the westerly branch to the head thereof; and from thence crossed over to the head of the eastermost branch, and found to the Committee's satisfaction, that the easterly branch was much the largest of the two; vented much more water, and proceeded from a larger pond than the westerly branch. At the pond at the head of the easterly branch called in the Commissioners' plan Lovewell's pond, I showed them the tree from which I formerly run the Province line well spotted, with the letters on it, according to my return of the Province line, and the line well spotted from it. Some of the Committee thereupon suggested, that possibly that might be the line I run some years afterwards, in laying out the patent for the Masonian proprietors.

I replied I was ready to make oath that that was the identical line I run for the Province line, and of the certainty of which they might then be easily convinced by examining the spots; for it having then been twenty-six years

since I run the Province line, and but seven years since I had run the Masonian patent, if they could cut into a spot on a growing tree, they might then examine whether there was seven years growth or twenty-six years growth over the spot. Accordingly we marched on the line till we found a large bass tree spotted, and one of the company cut square into the tree against the spot to the dead wood, and Col. Bagley began at the last years' growth and counted aloud twenty four years growth in the grain of the wood above or outside the dead wood of the spot. Col. Bagley then turning to me said "Bryant, I'll swear for you, that this tree was spotted more than twenty years ago." Col. Wentworth then asked the Committee if they desired my deposition to be taken, they answered, No, we are all well satisfied without it; — and therefore we returned. I can add no more respecting that line, only, being once at York, during the sitting of the Superiour Court, some of the Judges being informed that I was the Surveyor that run the Province line, sent for me to come to their lodgings. I attended, and after some conversation, Mr. Trowbridge, then Attorney General, being present, asked me what variation was allowed in running that line; I told him ten degrees; he replied, you allowed too much; and observed to Governor Hutchinson, then Chief Justice, that the line ought be to run anew; Gov. Hutchinson replied, that it would be attended with cost, and that it was not likely New Hampshire would consent and join. I told him New Hampshire would readily enough join to run anew with less variation, if requested. They all seemed surprised, and desired to know what reason I had to think New Hampshire would consent, inasmuch as it would take off a large tract of Pigwacket Intervales. I told him New Hampshire would gain much more, at Dunstable, and the other towns on the west line, for the same variation was allowed on both lines. On which there was a great laugh in the Company, and nothing further said about the matter.

I am, Sir, with due respect,
Your most humble servant

WALTER BRYANT.

Rev. Mr. Belknap.

MUSTER ROLL

Of Capt. Archelus Townes (1) *Company in y' twenty seventh Regim't of Foot in y' Continental Army Encamp'd.*

Archelus Townes, Capt. Engaged in the Service April y' 28th 1775.
James Ford, Lieu. Do. " " " Do.
David Wallingsford " Do. " " " Do.

Samuel Briton Farr, Serg't.		Eng'd May 1st. 1775	Sargants.	William Read Corp'		Ingag'd May 2d 1775	Corporals.	Samuel Whidden, Drummer.	
Samuel Walker	Do.	Do.		Caleb Irvon	Do.	Do. 1st "		Nathan Kandall Fiffer.	
Bray Wilkins	Do.	May 2 "		James Roby	Do.	Do. 2d "			
Thomas Senter	Do.	May 1st "		Abner Kyes	Do.	Do. 2d "			

Privates.	Casualties.	Privates.	Casualties.	Privates.	Casualties.
Elizer Usher	May 5th, 1775	Josiah Burows	May 1st 1775	Andrew Richardson	May 9th 1775
John Sterns [low.	May 1 "	Joel Bailey	May 3d "	Jacob Perry	May 15th "
Jonathan Page, absent without fur-	May 7 "	William Grimes	May Do. "	Bartholomew Towne	May 6th "
Jonathan Dutton	May 5 "	Moses Barrott	May Do. "	Ebenezer Spalding	May 4th "
Stockmon Irveat	May Do. "	Timothy Pollard	May 5th "	John Seve	May 2d "
Asa Knolton	May Do. "	Jonathan Margery	May 9th "	Samuel Parker	May 1st "
Caleb Stevens	May Do. "	Samuel How	May 1st "	Samuel Lamson	May Do. "
Benjamine Mershall	May 8th "	Nathen Colburn	May 4th "	Nehamiah French	May 6th "
Robert Darrah	May 5th "	Archelus Towne, Jr	May 1st "	Joseph French, on furlow sick	May 9th "
Jonathan Wilkins	May Do. "	Jobe Gage	May 5th "	Peter Robinson, on furlow	May 1st "
Benjamine Morrill	May 7 "	Thomas Knolton	May 6th "	Jacob Blodgett, on furlow sick	May 3d "
Samuel Allenwood	May Do. "	Josiah Bruce	May 8th "	Richard Baly, on command	May Do. "
Adam Patterson	May 1st "	Stephen Goold	May 4th "	Benjamin Greely, Deceased	August 15th "
Benjamin Marshall Jr	May Do. "	Reuben Wheeler	May 3d "	James Wimon	August 17th "
James Davis	May Do. "	John Mershall	May 4 "		

Names of Deceas: Benjamin Greely Dy'd Sep. 7, 1775.

(1) Capt. Archelaus Towne was of Amherst. The Muster Roll was furnished the editor by E. D. Boylston, Esq., Amherst.— Ed.

ATTACK ON QUEBEC.

NOTE BY THE EDITOR.

The following very interesting letters relating to the attack on Quebec, and the repulse of the American army, were found on file among the State Papers in the Secretary's office N. H. The attack was made on the 31st of December, 1775; and although some of the letters were written in January following, yet the editor deems it proper to give them a place in this volume.

Letter from Col. Donald Campbell.

[Copied from MS. State Pap. Revn, Vol. II., p. 321.]

Saturday the 31st Dec. 1775 at Holland House.

DEAR SIR —

It is with the greatest Distress of Mind that I have the Task of communicating to you the Event of an unfortunate attempt that was made to storm the Town of Quebec between the Hours of Two and Seven this morning by four different attacks, Unfortunate indeed when with Bitterness of Soul I Inform you that the gallant and Amiable General Montgomery was killed the first Fire as also his Valiant Aid de Camp Capt. John McPherson and Capt. Cheesman of the first New Yorkers with two or three men; All this happened in the attack on the Lower Town at Annie de Merse where were the three Battalions of Yorkers commanded by the General whom I attended and found myself under the disagreeable Necessity of drawing off the Troops (too ready to Depart) at about seven o'clock, after having passed the first Barriers and just opening to attempt the second.

In the other principal attack made by Col. Arnold with the Detachment under his Command, Capt. Lamb's company of Artillery and two Field pieces on Sleys was at the Sole de Mottelse where he succeeded so far as to force one Gate or Barrier and Battery with the misfortune of having his Leg splintered, yet I hope not very dangerous, tho' from his gallant conduct he sustained a considerable Loss of Blood and is now in the General Hospital as also Brigadier Major Ogden who was shot a Flesh wound through the upper part of his shoulder after a spirited & officer like conduct which was distinguishable in the whole of the officers particularly Lt Col. Green, Major Bigelow & Major Meigs as also Capt E Oswold Secretary to Col Arnold and a Volunteer in the campaign. Yet after carrying that Barrier and a second one they now remain in possession of the Houses from Limeburners Wharf in the Lower Town to the second Barrier where they now maintain themselves with between three & four Hundred men & extremely difficult to support them till dark when I shall hope to draw them off for which purpose I send Col James Livingston with some of his Regiment and Major Dubois of the 3d Yorkers with upwards of two Hundred Men down to the General Hospital to endeavour to throw themselves in between this and Night or get Lieut. Col. Green & his party out. The other attack was with Col. Livingston and his Canadians to endeavour burning St John's Gate with prepared Faggots of Combustible Matter which was not affected owing to an early alarm in Town; and the last was by Another Storm attack from Major Brown's Detachment on Cape Dimond, Commanded by Capt. Brown. Thus

you have the four attacks that were concerted between the dear deceased General Montgomery and Col. Arnold which was in many respects hurried from the Circumstance of the Inlistment of the Troops under Col Arnold whose Time expires this day. Our whole Loss as far as I can collect without Returns does not exceed 15 or 20 Men killed & wounded & yet I think a Reinforcement of two hundred men immediately from Montreal would be very proper at the same time I leave you to judge of the propriety of disarming the Forces of Montreal, and at the same Time to assure you it is no pleasure to me to enjoy the command which falls upon me from the Death of the General, and Col Arnold keeping his Bed. Therefore I request you will set out for this place as instantly as you can as your presence is essential on many accounts. I shall order every care of the Troops and Disposition that may occur to me necessary. I must remind you of cash as there is not above three or four hundred pounds here from my Recollection of what the General said a few days ago, but I have not yet examined any Thing, and it is unfortunate in a particular manner that both are gone who had the charge of it. The great Consumption of Powder from the Garrison is an object which the General had much at Heart and may be worthy of Remark to the Congress as well as full force for this country as you must be convinced the Canadians will never be so firmly on our side as when they are Convinced we hold the scales. I hope this last affair will not strike them in the light it does me. I shall not make any alterations in Commissions or Officers till I have the Pleasure of seeing you here, Though application has been made. The remaining aid-de camp Mr. Aaron Burr I would gladly recommend to you for the memory of the deceased General as well as his own personal Bravery & good conduct.

I thought to have sent Mr. Melcher Express with this, but the Bearer Mr. Edward Antill appointed by the General as Engineer whom I recommend to your Favour and attention being well acquainted on the Road I prefer him for the sake of Dispatch, as I consider every Moment Important and to whom I refer you to correct this hurried scrole and give you particulars that he was eye witness to. My Love to all Friends and Acquaintances that inquire for me and believe me to be with Love & Esteem

Your most Obed^{t} Hum Serv^{t}

DONALD CAMPBELL.

(General Wooster)

Letter from Col. B. Arnold to General Wooster.

[Copied from MS. State Pap. Rev^{n}, Vol. II., p. 323.]

General Hospit^{l}, Dec^{r} 31st 1775.

DEAR SIR —

I make no doubt but General Montgomery acquainted you with his Intentions of storming Quebec as soon as a good opportunity offered. As we had several men deserted from us a few days past, the General was induced to alter his plan which was to have attacked the upper and lower Town at the same time. He thought it most prudent to make two different attacks upon the lower Town, one at Cape Diamond, the other thro' St. Rocks. For the last attack I was ordered with my own Detachment and Capt. Lamb's Company of Artillery — at five o'clock the Hour appointed for the attack, a false attack was ordered to be made upon the upper Town. We accordingly began our march. I passed thro' St. Rocks and approached near a two Gun Battery picketted in without being discovered, which we attacked, it was bravely defended for about an hour, but with the loss of a number of men we carried it. In the attack I was shott through the leg and was obliged to be carried to the Hospital, where I soon had the disagreeable news that the General was defeated at Cape Diamond, Himself, Capt. McPherson, his aid De Camp, &

Capt. Cheesman killed on the spot with a number of others not known. After gaining the Battery my Detachment pushed on to a second Barrier, which they took possession of, at the same time the Enemy sallied out from Palace Gate and attacked them in the rear. A Field-piece which the Roughness of the road would not permit our carrying on, fell into the Enemy's hands, with a number of prisoners; the last account from my Detachment, about ten minutes since, they were pushing for the Lower Town. Their communication with me was cut off. I am exceedingly apprehensive what the event will be. They will either carry the lower Town, be made prisoners or cut to pieces. I thought proper to send an Express to let you know the critical situation we are in and make no doubt you will give us all the assistance in your power. As I am not able to act, I shall give up the command to Col° Campbell. I beg you will immediately send an Express to the Hon^ble^ Continental Congress and his Excellency General Washington. The loss of Detachment before I left it was about Twenty men, kill'd & wounded. Among the latter is Major Ogden, who with Capt. Oswald, Capt. Burr, and the other Volunteers behaved extraordinarily well. I have only time to add that I am with the greatest Esteem

Your most obed^t^
and very humb^l^ Serv^t^

B. ARNOLD.

P. S. It is impossible to say what our future operations will be untill we know the fate of my Detachment.

General Wooster, Montreal.

Letter from Gen. Wooster to Gen. Schuyler.

[Copied from MS. State Pap. Rev^n^, Vol. III., p. 13.]

Montreal, Jan^y^ 5^th^, 1776.

SIR — The Inclosed Letters from Col° Arnold, & Col° Campbell will inform you of the unhappy Fate of our Brave and most amiable Friend General Montgomery, who with his Aid de Camp Mac Pherson, Capt. Cheesman & several other brave Officers & men Gloriously fell in an unfortunate attack upon Quebec, unfortunate in deed: — for in addition to the loss we sustain in the death of the General, one of the bravest men of the age, the Flower of our army at Quebec were either cut off or taken prisoners. I little expect that with the Troops that remain to be able to continue the siege; in short our situation in this country is at present & will be 'till we can have relief from the Colonies, very critical & dangerous, we really have but very few men in the country & many of those few, not to be depended on, as we have too dearly proved. Mr. Antill, a Gentleman from Quebec who General Montgomery appointed an Engineer, I beg leave to recommend to you; he was with the General when he fell, and can give you particulars; he is well acquainted with this country, for which Reason I have desired him to proceed on to you, and so to the Congress, knowing that he will be much better able to inform you & them, than I can, concerning the State of this Country and what will be necessary to be done; unless we have a number of men thrown into this country as soon as they can possibly get over the Lakes on the Ice, which I apprehend might be done with Sleys, and at the same time forward some Powder, as we have but Four Tons in the Country at the several posts: We have lost our Artillery Company. It will therefore be necessary to supply us with another very soon or we may possibly not only loose the footing we have got here, but perhaps, be all sacrificed in the Country. There is but little confidence to be placed in the Canadians; they are but a small remove from Savages, & are fond of being of the strongest party. Give me leave also to remind you of what I dare say General Montgomery has done, that we are in the greatest need of Cash; hard money we shall soon

be in the greatest distress for want of; & doubtless the more, say, since the check to our arms. Mr. Price has hitherto supplied us; indeed I know not how we could have subsisted as an army without him: he has already advanced for us about Twenty Thousand pounds & has assisted us in every way possible. Gen[l] Montgomery in his last Letter to me begg'd that Price might be mentioned in the Strongest Terms to the Congress.

The necessity of Immediate Relief I am sure will strike your mind very forcibly, when I tell you that our Enemies in the Country are numerous; the Clergymen almost universally refuse absolution to those who are our Friends, & preach to the people That it is not now too late to take arms agai nstus; that the Bostonians are but a handful of men, which you know is too true. Suppose, Sir, that General Washington should detach a thousand men from his army, if there is no other Troops already raised, that can be better spared; something must be done & that speedily or I greatly fear we are ruined. We have but five or six thousand men for the Garrisons of this Place, Chamlee & St. John's. Many of the Troops insist upon going home, the times of Inlistment being out. Some indeed have run away without a pass or Dismission expressly against orders. I have just been inform'd that a Capt. Pratt of the second Battalion of Yorkers has led off his Company from St. Johns. I have given orders to suffer no man to go out of the country, whether they will Inlist or not,— the necessity of the case I believe will justify my conduct. I shall not be able to afford any men to reinforce Col[o] Arnold; this place must be secured for a Retreat if necessary. I called a Council of my officers in this place who were to a man agreed that I ought to remain here. I have therefore sent Col[o] Clinton with Mr. Price, who I think may be of great service to him; God only knows what the event will be. This affair puts a very different face upon our Interests in this Country; however we must make the best of it. I have order'd Gen. Montgomery's Papers to be sent to me; when I receive them, I shall conform myself to his Instructions. I expected you was at Congress & had prepared to send this melancholy news to General Washington as well as to you; but the post arriving last night, I find that you was at Albany, therefore shall leave it to you. I most heartily condole with you, with all General Montgomery's Friends & with the Country, for so great a public loss. I have the Honour to be your most obed[t] & very Humble serv[t]

DAVID WOOSTER.

Gen[l] Schuyler.

(Copy)

Copy of a Letter from Gen. Wooster to Colo. Warner.

[Copied from MS. State Pap. Rev,[n] Vol. III., p. 17.]

Montreal, January 6[th], 1776.

SIR —

With the greatest Distress of mind, I now sit down to write to you of an unfortunate attack made on Quebec between the hours of 4 & 6 in the morning of the 31[st] of Dec[r], unfortunate indeed for us, in it fell our brave Gen[l] Montgomery, his Aid-de-Camp M[c]Pherson, Capt[s] Cheesman & Hendrick of the Rifle men & 2 or 3 of the subaltern & between 60 & 100 Privates, the number uncertain & about 300 officers & soldiers taken prisoners, among which are Lt. Col[o] Green, Major Bigelow, Major Meggs and a number of Cap[ts] and inferior officers. Col[o] Arnold was wounded in the Legg in the beginning of the Action, as was Major Ogden in the shoulder, and brought to the General Hospital. I have not time to give you the particulars, but thus much will suffice to shew that in consequence of this Defeat our Prospects in this Country are rendered very dubious, and unless we can be quickly reinforced perhaps it will be fatal not only to us who are station'd here, but to the Colonies in General, especially to y[e] Frontiers, greatly very greatly

depends upon our keeping Possession of this Country. You know as well as any other man, the temper and Disposition of the Canadians, that they are not persevering in adversity, that they are not to be depended upon, but like the savages are very fond of choosing the strongest party; and add to this, our Enemies in the Country of which there are many, who use every method to excite the Canadians against us; among other things they tell them that the United Colonies intend to abandon the Country. The Clergy refuse Absolution to all who have shewn themselves our friends. and preach Damnation to those that will not take up arms against us, & tell them that now it is not too late, that we are but a hand full of men.

I have sent an Express to Gen^{l} Schuyler, Gen^{l} Washington & the Congress: but you know how far they have to go, and it is very uncertain how long it will be before we can have relief from them. You, Sir, and the green mountain Corps are in our Neighbourhood, you all have Arms & I am confident ever stand ready to lend a helping hand to your Brethren in Distress. I am sensible that there was some Disagreement between you and Gen^{l} Montgomery — poor man — he has lost his life fighting Valiently for his Country; but why do I mention anything about disagreement between you; I know no private resentment can hinder your exercising every faculty to vindicate the rights and Priviledges for which we are nobly contending. Therefore let me beg of you to collect immediately as many men as you can, 5, 6 or 700, & if you can and some how or other convey into this country and stay with me, till we can have relief from the Colonies. You are sensible we have Provisions of all kinds in abundance, and the weather in this country is not so frightfull as many have imagined. You will see that proper officers are appointed under you, and both officers and soldiers shall be paid as the other Continental Troops. It will be well for your men to set out as fast as they are collected, not so much matter whether together or not, but let them set out, 10, 20, 30, 40 or 50 as they can be first collected, for it must have a good effect on the minds of the Cannadians to see succour coming in. You will be good enough to send copies of this letter, or such parts of it as you think proper to the people below you. I cannot but think our friends will make a push into the Country; & I am confident you will not disappoint my most fervent wish and expectation in seeing you here with your Men in a very short time, now is the time for you to distinguish yourselves of obtaining the united applause of your grateful countrymen, & of your Distressed Friends in Canada, and your very great friend & serv^{t}

DAVID WOOSTER.

To Col^{o} Warner.

Letter from Gen'l Schuyler to Gen'l Washington.

[Copied from MS. State Pap. Rev^{n}, Vol. III., p. 35.]

Albany January 13th 1776.

I wish I had no occasion to send my Dear General this Melancholy account My Amiable Friend the Gallant Montgomery is no more, the Brave Arnold is wounded & we have met with a severe check in an unsuccessful Attempt on Quebec: May Heaven be graciously pleased that the Misfortune may terminate here; I tremble for our people in Canada, and nothing my Dear Sir seems left to prevent the most fatal consequences, but an immediate Reinforcement that *that* is no where to be had but from you, & the only Rout that which I have pointed out in my Letter to Congress, Copy of which you have enclosed nor do I think that a less number than which I have mentioned will suffice. Should your Excellency think proper to send the Troops, you will please to let me know It by Express, that I may send Provision to Onion River.

Congress has wrote to me on the subject of my Request to retire, our af-

fairs are much worse than when I made the Request, this is Motive sufficient for me to continue to serve my Country in any way I can be thought most serviceable. But my utmost can be but little Weak and Indisposed as I am.

The Clothing is gone to Cambridge. I am your Excelencys most obedient & most Humble Servt

PH: SCHUYLER.

Rateable Polls in New Hampshire from 1742 *to* 1773 *furnished by Joseph Pearson Esq. Sec'y of State*, 1792.

[Copied from a Paper in "Belk. Pap.," p. 320.]

[Extract]

Secys office, March 12th 1792.

DEAR SIR—

"In compliance with your request of the 3d Inst. after spending several days in searching the files, books &c. the only number of Rateable Polls which are to be found in my office from 1742 to 1773 are as follows; viz.

5,172	Rateable polls in	A. D. 1742 no return from Nottingham, Barrington [& Gosport
6,392	Do	A. D. 1753
11,964	Do	A. D. 1767
13,853	Do	A. D. 1773.

Whether 5 or 6 times the Number of Rateable Polls will give the number of the People with any degree of certainty, am at a loss to say. In A. D. 1775 the No. of People were computed to be 82,200.

Your most obedient servant &c.

JOSEPH PEARSON.

Rev. Mr. Jeremy Belknap.

CENSUS OF NEW HAMPSHIRE, 1775.

(Towns arranged alphabetically.)

[Copied from a MS. volume in the Secretary's office, labeled, "Census of New Hampshire, 1767 & 1775."]

NOTE BY THE LATE JOHN FARMER, ESQ.

The following is probably the most correct estimate of the number of people in the State of New Hampshire, which was ever made before 1775. The survey was taken partly by enumeration and partly by estimation for the purpose of establishing an adequate representation of the people. Being the first census after New Hampshire ceased to be a Province, and taken immediately before it became an independent State, it is deemed worthy of being thus preserved in the State Archives.

Order of the Provincial Congress, sent to the several Towns and places in the Province of New Hampshire, relating to the taking of the Census.

IN PROVINCIAL CONGRESS,

New Hampshire, August 25th, 1775.

Whereas it is necessary that an exact Account of all the Inhabitants of this Colony should be taken, in order to be transmitted to the CONGRESS OF THE UNITED AMERICAN COLONIES: Therefore Resolved, That it be recommended to the Select Men of the several Towns, Parishes and other Places in this Colony, to take an exact Number of the Inhabitants of their respective Districts, including every soul in the Same, in separate Columns, as follows:

Males under 16 years of age.	Males from 16 years of age to 50, not in the army.	All males above 50 years of age.	Persons gone in the army.	All females.	Negroes and Slaves for life.

And in such Places where no Selectmen are chosen, that the Selectmen of the next adjacent Town take the same; or some suitable person living in such place, by their appointment. And that the return thereof be made to the Committee of Safety for said Colony, as soon as may be, by the Selectmen or Selectman or Person appointed who shall take the same, upon Oath to their Fidelity and Impartiality therein; which oath any Justice of the Peace or Town Clerk is impowered to administer.

And whereas a late Requisition of this Congress, that every Town, Parish & other Place within this Colony, return the Number of the Fire Arms in their respective Districts fit for use, and the Number wanting to compleat one for every person capable of using them, has not been complied with; therefore it is now earnestly recommended that the same be forthwith done,

adding these to the Quantity of Powder in each place; and where there is a public Stock to return a separate Account thereof, & that the whole be returned to the Committee of Safety for this Colony.

And it is further recommended, that no Part of the aforementioned Business be delayed; for its being as *speedily done as possible*, will be of great Utility to the Colony; and it is further strictly enjoined upon all Selectmen & Committees to endeavour to prevent all persons from burning their Powder in shooting at Birds & other Game.

By order of Congress,

MATTHEW THORNTON, President.

NOTE. The above recommendation or order being sent to each Town, as their authority for taking the Census, need not in each case be repeated. It will be observed that there is great diversity in the form of returns made; of which the Editor proposes to present a copy *verbatim et literatim*. — ED.

ALEXANDRIA.

Males under 16 years of age Is	38
Males from 16 years of age to 50 Is	26
All the males above 50 years of age Is	7
Persons gone in the army Is	8
All females Is	58
	137

The Number of the fire arms in this town is But 18. The Quantity of Powder Is supposed to be Not one half Pound, In the whole town, and this is an exact account Dun by me

JOHN MCMURPHY, Selectman.

Alexandria, y^e^ 25^th^ 1775.

ALLENSTOWN.

Males under 16 years of age	50
Males from 16 years of age to 50, not in the Army	22
All males above 50 years of age	7
Persons gone in the Army	6
All Females	81
Negroes and Slaves for Life	2

The above Number Impartially Taken by me

SELECTMAN

Pembroke Nov^r^ 25^th^ 1775 the above Named Benjamin Mathes appeared and made a Solemn Oath that he has Impartially Taken the Number of all the Inhabitants of Allenstown

Before me Richard Bartlett Jus P.

ALSTEAD.

Alstead, Oct^{r} 27th 1775.

Agreeable to the Directions of the Provincial Congress we here with Exhibit a True account of the Souls Inhabitants of Alstead.

Males under 16 years	88
Males between 16 years & 50,	79
Males above 50 years	5
Persons gone in the army	4
Females	141

also find Eighteen fire arms fitt for service & 5 in the army and four not fitt no Powder Neither Town Stock nor Private nor can get none.

Guns wanting for Person capable of useing them 56.

317

ABSALOM KINGSBERRY } Selectmen of
NATH'L PRENTICE } Alstead

ATKINSON.

Colony of New Hampshire } An exact list, or account, of all the inhabitants of Atkinson in said Colony including every soul therein according as they are set down in their respective columns, as also y^{e} number of Fire Arms fit for use (except only those Fire Arms belonging to said Atkinson now in the American army) and the Number of Fire Arms wanting for every person capable of useing them, together with the Quantity of Gun Powder & Lead found among the People, which is as follows, viz.

No. of males under 16 years of age	145
No. of males from 16 to 50 years of age not in the army	91
All males above 50 years of age	30
No. of persons gone in the army	18
All females, except slaves	286
No. of Negroes & slaves for life	5
No. of fire arms fit for use (pistols excepted)	62
No. of Fire arms wanting	49
Wt of Gunpowder	36 1-4 lb.
Wt. of Lead & Bullets	86 1-4 lb.
No. of Pistols fit for use	30

Taken by order of Congress this 16th day of September A. Dom. 1775.

575

JOHN WEBSTER } Selectmen
JESSE PAGE } of said
NATH'L PEABODY } Atkinson.

Colony of New Hampshire } Atkinson Septem^{r} 16th 1775.

Rockingh^{m} SS. Then y^{e} above named Mess^{rs} John Webster, Jesse Page & Nathaniel Peabody, selectmen of said Atkinson each & all of them personally appearing, severally made solemn oath, that in Taking & making the above List & account by them subscribed, they acted therein with Fidelity & impartiality

Coram Samuel Little, Jus. Pacis.

BARNSTEAD.

All mails under 16	82
Mails from 16 years to 50	53
All mails above 50 years of age	4
Persons gon in the Army	2
All femals	111
Fire Arms	28
Guns wanted	25
Familes in the Town	46
No Powder	0
No Slaves	0

A true account of Every soul in Barnstead:

all mails under 16 years of age	82
mails from 16 years of age to 50	53
all mails above 50 years of age	4
Persons gone in the army	2
all feemails	111
	252

BARRINGTON.

This is the accompt of the inhabitants of the Town of Barrington which we have taken according to orders from the Con*ges* which we have taken as follows:

Males under 16	464
males from 16 to 50	245
males above 50	72
in the army	23
females	848
Slaves 2 males 1 female	3
guns	184
No guns	10 ?

RICHARD SWAIN, WILLIAM CATE JUN., JAMES HAYES } Secleckt men.

Sept. 14, 1775.

Total 1655.

BATH.

Males under 16 years of age	47
Males from 16 years of age to 50, not in the army	25
All males above 50 years of age	5
Persons gone in the army	10
All females	57
Negroes & slaves for life	0
fire arms fit for use	8
the number of guns wanting	24
The powder the inhabitants have	8 Pounds
The stock of powder in the Town	15 Pounds

WILLIAM EASTMAN.

144. Haverhill 16th Oct. 1775.

Personally appeared, Mr. Wm. Eastman Selectman for the Township of Bath, and declar'd the above to be a true acct agreeable to the schedule requested by the provincial Congress,

before J. Hurd, Jus: Pc.

BEDFORD.

Males under 16 years of age	109
Males from 16 years of age to 50, not in the army	93
All males above 50 years of age	28
Persons gone in the army	14
All Females	241
Negroes and slaves for life	10

Hillsborough Ss. October 27th 1775. Then John Bell Personally appeared And made solemn oath To his Fidelity and impartiality in numbering the souls in Bedford and makes Return of the several ages and sexes as in the column above thereof.

Sworn before Mathw Patten, Just. Peace.

There are Thirty seven Guns lacking to Equip the Inhabitants of Bedford. There is Eleven pound and three quarters of powder in Bedford according to information and no Town Stock of Amunition.

John Bell.

BOSCAWEN.

Number of the Inhabitants of the Town of Boscawen —

Males under 16 years of age	162
Males from 16 to 50, not in ye army	91
All males above 50 years of age	33
Parsons gon in the army	17
All Feemales	281
Negroes and slaves for life	1
	585

Number of Fire arms fit for use 58 — Number wanted 65 — Quantity of Powder 7 1-2 pounds.

The above is an exact Number of all the Inhabitants in the Town of Boscawen togeather with the Number of Fire arms—Number wanted and Quantity of powder agreable to the Recomendation of Congress, taken by us the Subscribers, October 1775.

George Jackman, Enoch Gerrish } Selectmen.

BOW.

A true & exact account of the Number of the inhabitants of Bow including every soul in the same taken by us the subscribers as followeth.

Benjamin Bean, John Noyes, Leonard Harriman } Selectmen of Bow.

Males under 16 years of age	88
Males from 16 years of age to 50	47
The males above fifty years of age	11
The Persons gone in the army	17
Females	187

Guns in Bow 33 — Guns wanting 14 — Powder 13 lb.

September ye 6th, 1775, then the Subscribers appeared & after being examined Made Solemn oath that the above account is exact & impartially taken

Coram Jno Bryant, J. P.

BRENTWOOD.

Males under 16 years of age	253
Mails from 16 years of age to 50 not in the army	174
All males above 50 years of age	57
Persons gone in the army	35
All Females	577
Negroes & slaves for life	4
	1100
The number of fire arms is	113
Number wanted is	68
Powder 160 among the People	
40 lb. in stock province powder.	

Province of New Hampshire } Brentwood September y^e^ 7^th^ 1775.
Rockingham Ss. }

Then David Clifford and Jedodiah Robinson Select men of Brintwood personally appeared & Solemnly afarm'd & made oath that they had numbered all the people of Brintwood in every age and sex and denomination to their fidelity and impartiality agreeable to this precept, before me

Joseph Greely, Clerk for Brentwood.

CAMDEN. (*now Washington.*)

Males under 16 years of age	47
Males from 16 years to 50, not in the army	29
All males above 50 years of age	4
Persons gone in the army	6
All Females	77
Negroes & Slaves for life	0
Guns	13
Powder	6

A treu and Exect account of the sevral Degrees of persons in Camden. From us

ARCHABEL WHITE
163 SIMEON FARNSWORTH.

CAMPTON.

A List of the Numbers in Campton according to the Requisition of the Provincial Congress convened at Exeter in New Hampshire, August 1775.

Above 50	5
From 16 to 50	44
Under 16	57
In the army	1
Females	83
Slaves	—
Total	190

Campton, Oct^r^ 25, 1775.

A true account pr JOHN HOLMES } Select
(Errors excepted) NATH'L TUPPER ? } men

CANAAN.

The accompt of the Inhabitance.

Males under 16 years of age	16
Males from 16 years of age to 50 not in the army	17
All males above 50	3
Persons gone in the army	3
All Females	28
Negroes & Slaves for life	—

Canaan, Sept. 22d, 1775. Upon Diligent sarch we find that we Have a Gun for Evrey one that is Capable of yousing them, as for Power and Lead we Have Non By us.

tast By us ASA KILBURN, EBENr EAMES } Selectmen.

CANDIA.

An account of the Inhabitants of the Parish of Candia is as followeth.

Males under sixteen	232
Males from 16 to 50	120
All males above 50	19
Persons gone in the army	27
All Females	346
Negroes & Slaves for life	0

Seventy-two firelocks fitt for use, Forty Eight wanted. Powder is so inconsiderable we tho't not worth Notice. Town Stock none at all.

No. of Souls 744.
One Family non-Inhabitants No. 7.

Candia, Octor ye 2d 1775. ABRAm FITTS, WALTER ROBIE, MOSES BAKER } Selectmen of Candia.

Rockingham Ss.

Candia Octr ye 2d 1775. Then Abram Fitts, Walter Robie & Moses Baker above Named appeared and made solemn Oath to the truth & impartiality of the above account.

Before Saml Mooers, Parish Clerk.

CANTEBRURY.

A Return of the Inhabitants of Canterbury October 1775.

Males under 16 years of age		199
Males from 16 years of age to 50 not in the army		124
Males above 50 years of age		30
Persons gone in ye army		35
Females		331
Negroes & Slaves for life		4
	Total	723
A Return of Guns in Canterbury fit for use		45
Guns wanting		109
Stock of Powder		80 wt

The above is a true account of the number of Inhibitants in Canterbury &c. taken agreeable to the recommendation of the Provincial Congress by the Subscribers.

ARCHELAUS MOORE, DAVID MORRILL } Selectmen for Canterbury.

CHARLESTOWN.

Males under 16 years of age	158
Males from 16 years of age to 50 not in the army	94
All males above 50	17
Persons gone in the army	22
All Females	303
Negroes & Slaves for life	—

Cheshire Ss.

Charlestown, Decem^{r} 18th 1775. The foregoing is a True & Exact List of the Inhabitants of Charlestown taken by

SAM^{l} HUNT, WM. HAYWOOD, GROS STEVENS } Selectmen of s^{d} Charlestown.

CHESTER.

Males under 16 years of age	384
Males from 16 to 50, not in the army	273
All Males above 50	101
Persons gone in the army	51
All Females	787
Negroes & Slaves for life	3
Total	1599
Powder privet Property	30 lb.
No stock.	

The above Number is an Exact Number of the Inhabitants of the Town of Chester, taken by us

WILLIAM WHITE, NATHAN FITTS, JOHN DARBON } Selectmen of Chester.

The Number of Arms	175
Those that have Not	112

Chester, October y^{e} 9, 1775.

CHESTERFIELD.

Males under 16 years of age	241
Males from 16 to 50, not in the army	155
All males above 50 years of age	30
Persons gone in the army	36
All Females	412
Guns fit for use	86
Guns wanting	99
No Slaves	
No Powder	

Province of New Hampshire
Chesterfield, Sept. the 12: 1775

Attested

NATHANIEL BINGHAM, EPHRAIM HUBBARD, JOHN DAVISON } Selectmen of Chesterfield

CHICHESTER.

Males under 16 years of age	117
Males from 16 to 50 not in the army	87
All males above 50	13
Persons gone in the army	4
All Females	197
Negroes & Slaves for life	0
	418

This above account of the Inhabitance of Chichester Taken by us the subscribers

DAVID KNOWLTON } Selectmen of
JONATHAN STANYAN } Chichester.

Province of
New hampshire

Rockingham Ss. September ye 18th 1775. Then the above named David Knowlton and Jonathan Stanyan Personaly appeared and made Solom oath that the above number of the inhabitance of Chichester taken by them Is Just and Impartial before me

John Cram, Town Clerk.

Chichester, August 19th 1775.

We the subscribers and Selectmen of the Town of Chichester agreeable to the Resolve of the New-hampshire Congress, have carefully examined the fire armes in Said Chichester and we find their are forty Seven fitt for Servis — and their are thirty one wanting in said Chichester and their is forty two Pounds of gunpowder in Publick Store.

JONATHAN STANYAN } Selectmen of
DAVID KNOWLTON } Chichester.

CLAREMONT.

Males under 16 years of age	148
Males from 16 to 50, not in the army	125
All males above 50 years of age	18
Persons gone in the army	1
All Females	231
Negroes & Slaves for life	—

The Number of fire arms in the Town of Claremont fit for actual service
60 stand
65 wanting.

Colony of New Hampshire, Claremont, Oct^{r} 13th, 1775.

A true Number. Attest, MATTHIAS STONE } Select
OLIVER ASHLEY } men

COCKBURNE (now Columbia).

The Number of all the souls in Cockburne, taken Sept^{r} 22^{d}, 1775, by Capt Abijah Larnard.

Males under 16 years of age	5
Males from 16 to 50 years of age, not in the army	5
All males above 50 years of age	0
Persons gone in the army	1
All Females	3
Negroes & slaves for life	0

3 guns fit for use, 2 guns wanting, 3 3-4 lb Powder.

COCKERMOUTH (now Groton).

Males under 16 years of age	35
Males from 16 years of age to 50 not in the army	23
All males above 50 years of age	2
Persons gone in the army	5
All Females	53
Negroes & Slaves for life	0
Total	118
The number of arms fit for youse	18
The number wanting	27

Powder in town three pounds.

The above is a true Number of the Persons belonging to Cockermouth By uss.

THOMAS NEVENS } Selectmen.
EDM'D SHATTUCK }

Collony of New Hamp^{r}

October 28, 1775. Then the above Named Thomas Nevins and Edmon Shattuck personally apperd before me and made oath to the above account.

Pr Eben Wendall, Town Clerk.

COLEBROOK.

The number of all the souls in Colebrook taken Sept. 22^{d} 1775, By Capt. Abijah Larned

Males from 16 years of age to 50 not in the army	1
all females	3

1 gun fit for use 3-4 lb Powder.

CONCORD.

Males under 16 years of age	280
Males from 16 years of age to 50 not in the army	186
All males above 50 years of age	36
Persons gone in the army	46
All Females	490
Negroes & Slaves for life	14
	1052

A true copy of the return of the Selectmen of Concord.

Attest Tim^{o} Walker jr clerk.

Fire arms 98

Concord, October 27th 1775.

CONWAY.

Province of New Hampshire, Grafton Ss. Conway Nov^{r} ye 28th 1775.

The following is an Exact account of the Number of inhabitants in the town of Conway aforesaid including those in the army, the number of fire arms, ammunition &c.

Males under 16 years of age	79
Males from 16 to 50	51
Males above 50	6
Those gone in the army	18
All Females	117
Negroes & Slaves for life	2
Total males including those in the army	149
Total Inhabitants with those in the army & Slavery	273

Arms in town 40, wanting to complete 44.
Town stock of Powder, 25
Town stock of Lead, 56

taken by order of the Provinciale Congress

Pr ANDR'W MCMILLAN, DAVID PAGE, THO'S MERRILL } Selectmen.

Province of Newhampshire

Grafton Ss. Conway November y^{e} 29th 1775

Then the above Named And^{w} McMillan, David Page and Thomas Merral personally appearing and after due caution and Carfull Examenation made solomn Oath to the truth of the above, Sworn before me

Richard Eastman, Town Clerk.

CORNISH.

Males under 16 years of age	83
Males from 16 years of age to 50 not in the army	77
All males above 50 years of age	9
Persons gone in the army	4
All Females	136
Negroes & slaves for life	0
fire arms in the town of Cornish fit for use	53
and the number wanting to compleat one for every person capable of using them	33
No powder in town But privit property and that is	20 lb.

Cornish, October y^{e} 30th 1775. Parsonaly apeared Sam^{ul} Chase Esq. and made solemn oath that he had acted faithfully and impartialy in taking the above Numbers according to the best of his discretion before me.

Daniel Putnam, T. Cler.

CROYDON.

Males under 16 years of age	37
Males from 16 years of age to 50 not in the army	34
All males above 50	2
Persons gone in the army	3
All Females	67
Negroes and slaves for life	0

In obedience to the Hon^bl Congress for the Colony of New hampshire we have taken and set the Number of the Persons Named in these several Colonis and we have sent the Number of fire arms and what was wanting Before and as for powder we have no town stock and we Judge not above five Pounds in the town.

Croydon, September y^e 27, 1775.

STEPHEN POWERS } Select-
PHINEHAS SANGER } men.

To the Honourable Comitte of
Safety for the Colony of New Hampshire.

Personaly apeared the above Stephen Powers & Phinehas Sanger signers to this accompt and gave oath that the above is a true account of the Inhabitants of this town — Before me

Moses Whipple, Town Clerk.

Croydon October y^e 12^th 1775.

DEERFIELD.

Males under 16 years of age	250
Males from 16 to 50, not in the army	204
All males above 50 years of age	26
Persons gone in the army	30
All Females	418
Negroes and Slaves for life	1
	929

In compliance with the above Request [of the Provincial Congress] we have vud fire arms and find 120 fit for use, and 68 wanting and 51 pounds of Powder

DANIEL LAD
BENJAMIN PAGE } Selectmen.
ROBERT PAGE

Deerfield September 19^th 1775.

Then the above Signers Personally appeared & made oath to the above Inventory before me

Sam^ll Leavitt, Just. Peace.

DOVER.

Males under 16 years of age	410
Males from 16 years of age to 50 not in the army	342
All males above 50 years of age	74
Persons gone in the army	28
All Females	786
Negroes and slaves for life	26

180 stand of arms
60 wt of Powder.

CALEB HODGDON
JOHN KIELLE } Selectmen.
SAMUEL HEARD.

[No date.]

DUBLIN.

Males under 16 years of age	88
Males from 16 to 50, not in the army	54
All Males above 50 years of age	9
Persons gone in the army	10
All Females	143
Negroes & slaves for life	1

The number of Guns in our town is 32.
Wanting to compleat one for each man 31
Gun powder nine Pounds

Dublin, Oct^{r} 3^{d}, 1775

ELI MORSE
MOSES ADAMS
JOSEPH GREENWOOD
} Selectmen of Dublin.

DUNBARTON.

Males under 16 years of age	144
Males from 16 to 50 not in the Army	92
All Males above 50 years of age	14
Persons gone in the army	14
All Females	232
Negroes and slaves for life	1

JOHN HOGG
NATH^{l} BURNEAM
} Selectmen of Dunbarton.

Hillsborough Ss. Febau^{r} y^{e} 22^{d}, 1776. Then the above Named John Hogg and Nathan Burnam appeared and made solemn oath that the Number of the inhabitants of Dunbarton is Just and trew Taken according to the best of thare Judgment as is set down above. Sworn before me

Jere^{h} Page, Justice of Peace.

DUNSTABLE.

Pursuant to the request of the Provincial Congress in New Hamp^{r} We have taken the number of all the Inhabitants of the Towne of Dunstable with those gone in the army as Exhibited in the following schedule.

Males under 16 years of age	215
Males from 16 years of age to 50 not in the army	88
All males above 50 years of age	30
Persons gone in the army	40
All Females	325
Negroes and slaves for life	7

Wee have also Taken an account of all the Powder in perticular mens hands, which is 41 lbs
Also we find in the Town Stock 36
Also we find 46 fire arms fit for use
& — 42 wanting to compleat one for every person capable of using them

Dunstable October 2^{d} 1775.

JOSEPH EAYRS
NOAH LOVEWELL
DAVID ALLD
} Selectmen.

To the Hon^{ble} Com^{tee} of Safety
for the Province of New Hamp^{r}.
705

DURHAM.

Males under 16 years of age	286
Males from 16 years of age to 50 not in the army	185
All males above 50 years of age	68
Persons gone in the army	57
All Females	593
Negroes and slaves for life	25
	1214

The quantity of Powder in Durham is about 76 lb besides the public stock, which is two Barrels. There are 222 fire arms belonging to the Town fit for use, including those carried to the army, which number is nearly sufficient for those persons who are capable of using them.

[No date.] JOHN SMITH, a Selectman.

EAST KINGSTON.

Males under 16 years of age	114
Males from 16 to 50 not in the army	63
All males above 50 years of age	29
Persons gone in the army	09
All Females	210
Negroes and slaves for life	03
	428

We have taken an account of the fire arms and of the powder in the East Parish of Kingston and find there to be sixty five fire-arms, and thirty one pound of powder, as witness our hands

SAMUEL STEVENS, JONATHAN COLLINS, EZRA CURRIER } Selectmen for East Kingston.

Directed to the Honorable Commite of Safety of New Hampshire.

Province of New Hamp^{r} Rockingham ss. } October 17th 1775. Then the above subscribing Sam- Stevens, Jonathan Collens & Ezra Currier Selectmen of the East Parish in Kingston Personally appearing made solemn Oath that the above Colums contain the number of Inhabitants in the aforesaid parish according to the best of their knowledge

Before Nath^{l} Bacheller, Jus^{t} Peace.

LEAVITTS TOWN — now Effingham.

Males under 16 years of age	23
Males from 16 years of age to 50 not in the army	16
All males above 50 years of age	2
Persons gone in the army	3
All Females	39
Negroes and Slaves for life	0
	83

Leavitts Town September 15, 1775.

The Number of fire arms in s^{d} Town, Eleven fit for use Wanting five. Powder two pound & a quarter. No stocke.

WEARE DRAKE, LEVI FOWL (1) } in behalf of the Selectmen.

(1) This name may be Towl.—ED.

ENFIELD.

Males under 16 years of age	15
Males from 16 years of age to 50 not in the army	17
All Males above 50	1
Persons gone in the army	—
All Females	17
Negroes and slaves for life	0
	50

The above is an Exact Account of the inhabitants of Enfield Sept. y^e^ 12^th^ 1775.

Test ELISHA BINGHAM.

New Hampshire }
County of Grafton Ss. } Lebanon, Sept. 11^th^ 1775.

These may certify that Mr. Elisha Bingham is appointed by the Selectmen of Lebanon to take an Exact acc^t^ of all the souls &c in the town of Enfield according to the within Direction of the Hon^ble^ Congress & to make a proper Return thereof to the Com^tee^ of Safety Directed as aforesaid.

NEH'H ESTABROOK }
JNO WHEATLEY } Selectmen.
JOHN GRISWOLD. }

New Hampshire, County of Grafton Ss. Lebanon, Sept. 11^th^ 1775.

Then the above named Elisha Bingham, personally appearing made solemn Oath to the faithful Discharge of the trust Reposed in him by the above appointment for the purpose aforesaid.

Before me John Wheatley, Just. peace.

Enfield, Sept. 12, 1775. Upon Diligent search I find ten good fire locks fit for use.

Seven wanting to compleat one for every man.

Powder we have none.

Test. Elisha Bingham.

To the Hon^ble^ Committee of Safety for the
Colony of New Hampshire.

EPPING.

Oc^r^ 1775 An account of the inhabitants of the Parish of Epping

Males under 16 years of age	377
Males from 16 years of age to 50 not in the army	242
all males above 50 years of age	77
Persons gone in the army	61
All Females	793
Negroes & Slaves for Life	19
Total	1569

EPSOM.

[No return.]

EXETER.

Males under 16 years of age	401
Males from 16 years to 50 not in the army	273
All males above 50 years of age	86
Persons gone in the army	51
All females	892
Negroes and Slaves for life	38
Fire arms	193
Fire arms wanting	150
Powder	80 3-4 lbs
Town Stock of Powder	50 lbs.
	1741

The above List taken by us

SAM[l] BROOKS
THEODORE CARLTON
PETER COFFIN, JUN
EPH[m] ROBINSON
} Selectmen of Exeter.

Exeter October 6[th] 1775 Then the above persons Selectmen of Exeter made Oath that the above List is true according to the best of their knowledge.

before me Zacch[s] Clough Just. peace.

FRANCESTOWN.

Males under 16 years of age	55
Males from 16 years to 50 Not in the Army	37
All males above 50 years of age	7
Persons gone in the Army	9
All Females	92
Negroes and Slaves for Life	00
	200

A true accompt of the Number of Persons in the town taken By us.

JAMES FISHER
JOHN DICKEY
} Selectmen.

Fire arms wanting in this town 11

Francestown September 20[th] 1775.

GILSUM.

Males under 16 years of age	45
Males from 16 years of age to 50, not in the army	32
All males above 50 years of age	10
Persons gone in the army	7
All Females	84
Negroes and slaves for life	—
	178
The Number of Guns	15

Destitute of Powder & town Stock — in Persuance to the above direction we have taken an exact accompt of the number of Soles and guns in the town of Gilsum.

Gilsum October
30 ye 1775

Test — Sam[l] Church, Stephen Griswold, Pelatiah Pease } Selectmen of said Gilsum.

GILMANTOWN.

The Number of the Inhabitants of the town of Gilmantown taken by us the subscribers this twenty-fifth Day of September Anno Domini 1775.

Jeremy Cogswell, Jona[th] Clark } Selectmen of Gilmantown.

Males under sixteen years of age	238
Males from 16 years of age to 50 not in the army	151
All males above 50 years of age	16
Persons Gone in the army	12
All Females	357
Negroes and Slaves for Life	1
Total	775

Province of New Hampshire Strafford ss Sept[r] y[e] 25[th] A. D: 1775.

Then the above named Jeremy Cogswell and Jonathan Clark, Selectmen of Gilmantown made oath to the truth of the above List of the Inhabitants of Gilmantown and that they have been faithful and impartial in taking said List.

Sworn before Joseph Badger Justice of Peace.

The amount or Number of Fire arms in the town of Gilmantown, we find ninety-nine guns fit for use and there is wanting forty six to compleat one for Every person Capable of using them we find about five pounds of powder in private peoples hands and we have forty four pounds and an half in the town stock.

Jeremy Cogswell, Jona[th] Clark } Selectmen of Gilmanton.

Witness our hands
this 25[th] Day of Septem[r]
A. D: 1775

GUNTHWAITE. (1)

September 21[st]: 1775.

A true account of the number of the inhabitants in this town.

Males under 16 years of age	14
Males from 16 years of age to 50, not in the army	6
All males above 50 years of age	2
Persons gone in the army	5
All Females	20
Negroes & Slaves for life	0
	47

We have 14 lb of Powder as a town stock. We waunt six fire arms.

(1) Afterwards Concord and now Lisbon.

GREENLAND.

Greenland Sep^{r} 16th, 1775.

Gentlemen,

In compliance with a Requisition of the Provincial Congress, we have endeavored impartially to take an exact number of the Inhabitants of Greenland, and the Number of the Guns fit for use, & the number wanting as also the Quantity of Powder in said Town, and have rank'd them in y^{e} several columns agreeable to the Schedule received from the President of said Congress.

WM. WEEKS, NATHAN JOHNSON, JOSHUA HAINES } Selectmen of Greenland.

Sep^{r} 16th, 1775. The Number of the Inhabitants &c of Greenland.

Males under 16 years of age	169
Males from 16 years of age to 50 not in y^{e} army	136
All males above 50 years of age	42
Persons gone in y^{e} army	10
All Females	381
Negroes & Slaves for life	21
Total	759
Guns fit for use	108
Guns wanting	33
Powder private property	61 lbs
Town stock of Powder	45 lbs

Colony of New Hampshire } Greenland Sept^{r} 16th 1775.
Rockingham Ss. } Then the above named William Weeks, Esq, Capt. Nathan Johnson & Ens: Joshua Haines personally appearing, made oath to their Fidelity & Impartiality in taking the above account.

Coram Clem^{t} March, Jus: Peace.

GOFFSTOWN.

Names under 16 years of age	215
Males from 16 to 50	138
Males above 50	21
All Females	411
Persons in the army	40
Negro Slaves	6
	831
Guns wanting	49

Agreeable to the Direction of the Congress for the Colony of Newhampshire the above is a true account of the Inhabitants of Goffstown in said Colonies taken this tenth Day of October A. D. 1775. THO^{S} SHIRLA, Selectman.

Collony of New Hamp^{r} } Goffes Town Dec^{r} 18 1775
Then the above named Thomas Shirla Personally appeared and made Solom oath that the above number by him exhibited and signed is a just account to the best of his knowledg. Sworn before me

Alex^{d} Walker
Town Clerk

HAMPSTEAD.

Colony of Newhampshire Rockingham Ss } Persuant to the order of the Colony Congress the following List is an Exact Number of the Inhabitants of the Town of Hampstead Including Every Sole in the Same in the Seperate Columns as followth to Gether with the Number of persons gon in the army and guns fit for use and what is wanting also the Quantity of Powder.

Males under 16 years of age	182
Males from 16 to 50 years of age, not in the army	106
All males above 50 years of age	44
Persons gone in the army	35
All Females	398
Negroes & slaves for life	3
Total	768
Guns fit for use	51
Guns wanting	75
Quantity of Powder	32

The foregoing List Taken by me the Subscriber one of the Selectmen for the Town of Hampstead in said Colony the 15th Day of September A. D. 1775.

WILLIAM MOULTON.

Colony of New hampshire Rockingham Ss. } September 22, 1775.

Then the above Named William Moulton personally appeared and made Solom oath to the truth of the above account of the Number of Soles accord to the best account he could obtain and that he acted therein with fidelity and Impartiality.

sworn Before Samuel Little Jus. Peace.

in taking the Number of Guns fit for use and the quantity of Powder and guns wanting I could not obtain so as to make oath to, but the above account there of is as near as I could git.

Willim Moulton.

HAMPTON.

Males under 16 years of age	190
Males from 16 years of age to 50, not in the army	147
All males above 50 years of age	62
Persons gone in the army	20
All Females	440
Negroes & slaves for life	3
Total	862

Persuant to the above request we have taken an Exact Number of the Inhabitants in the Town of Hampton and are as they Stand above in their Seperate Columns and total 862 and likewise we have taken an Exact List of the firearms in said Town fit for use which amounts to one Hundred and Ninety two and the Powder that the several Inhabitants has amounts to Ninety four pounds & 3-4. Public stock fifty pounds.

Given under our hands and Dated Hampton this 7th of November 1775

WILLIAM LANE
JOSEPH DOW
SIMON NUDD
PHILIP TOWLE
JOSHUA JAMES
} Selectmen of Hampton

HAMPTON FALLS.

Males under 16 years of Age	151
Males from 16 years of age to 50 not in the army	91
All Males Above 50 years of age	42
Persons gone in the army	19
All Females	339
Negroes and Slaves for life	3
	645

Colony of New Hamps^e^ } Pursuant to the above recommendation we have taken an account of all the Inhabitants of Hampton falls which is set Down in the above Columns — also the Number of fire arms fit for use which is 80. The Number wanted to compleat one for every person capable to use them is fifteen. The quantity of Powder in private hands is Seventy one Pounds, and the Town Stock is thirty Pounds

Hampton Falls Sept^r^ 18, 1775.

ABNER SANBORN } Selectmen of
DAVID NASON } Hampton falls

Colony of New Hampshire Sep^r^ 18, 1775.

Then Mess^rs^ Abner Sanborn and David Nason Made Solomn Oath that in takeing the Number of the Souls in Hampton falls as set down in the above Columns they have acted with fidelity and impartiality.

Coram Meshech Weare Jus^c^ Pea^e^

HANOVER.

Males under 16 years of Age	98
Males from 16 years of Age to 50 not in the Army	108
All males above 50 years of Age	12
Persons gone in the Army	22
All Females	184
Negroes and Slaves for life	10
	434
The Town Stock of Powder for the Town of Hanover is	48 lb
Lead	80 lb
Number of Fire arms	45
Number wanting to compleat one for every person capable of using them	77

The above contains a true acc^t^ of the Inhabitants of Hanover, their Fire arms Number wanting and Town Stock Ammunition (none of consequence being in the hands of Individuals)

EDWARD SMITH } Selectmen of
ICHABOD FOWLE } Hanover

Hanover Dec^r^ 4^th^ 1775.

HAVERHILL

Males under 16 years of Age	97
Males from 16 years of Age to 50, not in the Army	69
All males above 50 years of Age	9
Persons gone in the Army	17
All Females	169
Negroes and Slaves for Life	4
Total	365

The above is an Impartial account of the number of the Inhabitants of the Town of Haverhill

JAMES BAYLEY } Selectmen
EPHRAIM WESSON } for Haverhill

Personally appeared the above named James Bayley and Ephraim Wesson and made Solemn oath that they acted faithfully and Impartially in Taking the above account before Chas Johnston Town Clerk

Haverhill Octor 26th 1775

Private stock of gun Powder six pounds
Town stock of Powder fifty pound

HAWKE.

To the Provincial Congress of New Hampshire. Agreeable to your Orders whe have Numbred the Parsons in the Parish of Hawke and the Fire Arms and the Powder and it tis as Follows

Males under 16 years of Age	129
Males from 16 years of age to 50 not in the Army	76
All males above 50 years of Age	26
Parsons gone in the Army	13
All Females	260
Negroes and Slaves for Life	—
Fire Arms	52
Powder	9

504 REUBEN BACHELDER, EDWARD EASTMAN, JOSEPH CLIFFORD SANBORN } Selectmen of Hawke.

Provence of New Hampshire Rockingham ss } Hawke September 19th 1775
Then the aBove Named Reuben Bachelder Edward Eastman Joseph Clifford Sanborn Selectmen of Hawke Parsonelly appeared and made Solem oth that in the above Collomes Contains a Just and True accompt of the Inhabitants of the Parish Hawke and Fier armes and Powder sworn before

me Moses Colbey Parish Clerk.

HENNIKER.

Males under 16 years of Age	117
Males from 16 years of Age to 50 not in the Army	67
All males above 50 years of Age	15
Persons gone in the Army	9
All Females	158
Negroes and slaves for Life	1
	—
	347

Armes 40 Powder none

Henniker Sepr y 15th 1775.

In obedience to your Reqt we have taken a true Number of the Inhabitants of this Town and armes, and have set them in their Collumn, according to your directions, we have made Sarch for Powder but find there is none of any Value

From yours to sarve

JOSEPH KIMBALL } Selectmen for
AARON ADAMS } Henniker

HOLLIS.

An Exact Return of The Inhabitants of the Town of Hollis Agreeable To the Requision of the Provincial Congress August ye 25 1775 Together With the Number of fire armes and Powder &c

Males under 16 years of age	306
Males from 16 to 50	174
All males above 50	71
All in the Army	60
All Females	640
Negroes and Slaves for Life	4
	1255
Men capabal of using arms	223
Fire arms	131
Wanting to compleat one for each man	92
Powder Privat Property	111 Pounds

N. B. We have Lost ten men in the army that are not included in the above Return

Hollis September ye 25, 1775

NOAH WORCESTER, STEPHEN AMES, JACOB JEWETT, OLIVER LAWRENCE } Selectmen of Hollis

To the Honourable
Commity of Safety for
the Colony of New Hampshire

HOPKINTON.

Males under 16 years of Age	332
Males from 16 years of Age to 50, not in the Army	160
All males above 50 years of Age	30
Persons gone in the army	42
All Females	519
Negroes and slaves for Life	2
	1085

Guns that are wanting are fifty six
Powder six pounds in town

The above account taken by us the subscribers is true errors excepted

JONATHAN STRAW, ISAAC CHANDLER } Selectmen for Hopkinton

KEENE.

Province of New Hampshire Keene Octo^{br} 25 1775 in Complyence to a Recommend from the Honorable Provintial Congress of August 25, 1775 We here Transmitt a True account of the Number of Souls, fire arms gun Powder &c in the town of Keen.

Males under 16 years of age	174
Males from 16 years to 50, not in the Army	140
All Males above 50 years of age	24
Persons in the army	31
All females	387
	756
fire arms	72
Gun Powder Privit Stock	22 lb
Guns wanting	92
Town Stock of Powder	90 lb

N. B. No Negroes nor Slaves for life

BENJA OSGOOD } Selectmen
THO'S BAKER } of Keene

KINGSTON.

Males under 16 years of age	214
Males from 16 years of age to 50 not in the Army	155
All males above 50 years of Age	67
Persons gone in the Army	27
All Females	491
Negroes and Slaves for Life	7
	961
Fire Arms	127
Powder	35 lb

In compliance with the above Request we the Subscribers Selectmen of Kingston have taken an exact account of the number of Inhabitants in the first parish in said Town together with an account of their Arms & Ammunition as represented in the above Columns.

ABRAHAM FRENCH
AMOS GALE
JOHN WADLEIGH

Rockingham Ss. Kingston November th 10th 1775 then the above Named select Men Personally appeared and made Solem Oath to the above Numbers

Before me Jacob Hook
Justs Peac.

LANCASTER.

The Number of all the Souls in Lancaster taken Sep^{t} 22^{d} 1775.— By Cap^{t} Edw^{d} Bucknam.

Males under 16 years of age	17
Males from 16 years of age to 50 not in the army	15
All Males above 50 years of age	—
Parsons gone in the army	2
All Females	27
Negroes and slaves for life	00
	61

8 Guns fit for use 7 Guns wanting 11^{lb} Powder.

EDW^{d} BUCKNAM, Selectman.

Lancaster Sep^{r} 22^{d} 1775.

Then Parsonaly appeared the above named Capt. Edw^{d} Bucknam and made oath of the truth of the above Written Instrument

Before Seth Wales Just peace.

LOUDON.

Males under 16 years of age	90
Males from 16 years of age to 50 not in the army	85
All males above 50 years of age	9
Persons gone in the army	3
All females	161
Negroes & slaves for life	1
	349

According to the Notification Sent to the Parish of Loudon we have taken a true Number of the peopel to the Best of our Judgment.

Loudon October 27th 1775.

NATHAN BACHELDER } Selectmen
JONATHAN CLOUGH } for Loudon.

Loudon October 27th 1775.

Jonathan Clough Selectman for Loudon Personely apeaired and maid Solom oath to the above Instrument of Numbering the Peop to the best of his Judgment.

Before me Nathan Batchelder, Just pe.

Loudon October 27, 1775.

We haf taken the Number of Firelocks and thare is 49 Fit For use. Wanting 36.

NATHAN BACHELDER } Selectmen
JONATHAN CLOUGH } for Loudon.

LANDAFF.

Landaff September 12th 1775.

In compliance with the Resolve of the Congress of this Colony we have taken an exact account of all the Inhabitance of this Town which is as followeth

Males under 16 years of Age	14
Males from 16 years of age to 50 not in the Army	8
All males above 50 years of age	2
gon in the army	1
Females	15
Negroes Slaves	0
Sum Total	40

The above is an exact account of all the Inhabitance to (viz) of every Soul in the Town of Landaff

Test pr JOS. WARNER } Select
JOSIAH STOW } men.

Landaff Sept. 12, A. D. 1775 then parsonnally appeared the above written Selectmen and made Solom Oath that the above account is a true account of every Soul in Landaff and is Represented as Directed by Provincial Congress before me

Nath[l] Hovey Town Clark.

Landaff Sep[pt] 12[th] 1775

A Return of Arms and Ammunition
One Gun
Powder Eight & half
three of Lead
two Duszen of flints

MORRISTOWN.

Males under 16 years of Age	10
Males from 16 years of age to 50 inclusive not in the Army	5
All males above 50 years of age	0
Persons gone in the army	1
All Females	13
Negroes and slaves for Life	0
	29

3 Guns, 3 lb and 1-3 of Powder
10 Pound of Led and 20 flints

The Above is an exact Account of the Souls that belong to Morristown and of Arms & Aminition

Test JACOB SCHOFF.

Landaff Sep[r] 20: 1775

Then Parsonnally apeared the above writer Jacob Schoff and made Solom oath that the above account is a true account of all the Souls in Morristown

Before me Nath[ll] Hovey Town Clark

LEBANON.

Males under 16 years of Age	86
Males from 16 years of Age to 50, not in the Army	91
All males above 50 years of Age	13
Persons gone in the Army	2
All Females	155
Negroes and slaves for Life	0
Sum Total	347

New Hampshire County of Grafton Lebanon Sep[r] 11[th] 1775

These may Certific, that we the subscribers, pursuant to the above Request of the Hon[ble] Congress, have proceeded to take an Exact acc[t] of the number of souls, within the Limits of Lebanon aforesaid & made proper Entry thereof in the above Collum according to their several Denominations as Specified at the head of each Cellum

Gunpowder in said Lebanon 60 lb the one half Delivered out to minute men in said Lebanon & the other half Remains as a stock in said Town.

NEHEMIAH ESTABROOK
JNO WHEATLEY
JOHN GRISWOLD
} Select-men

LEE.

By order of Matthew Thornton Esq President of the Provincial Congress in New Hampshire, An Exact Number taken of the Inhabitants of the Parish of Lee September 1775 as follows:

Males under 16 years of Age	236
Males from 16 years of Age to 50, not in the Army	147
All males above 50 years of Age	58
Persons gone in the Army	12
All Females	497
Negroes & Slaves for life (3 males 1 female)	4
	954
Fire arms in the hands of	119
Fire arms wanting	51
Weight of Powder in the hands of	51 lb
Stock in the Parish of Powder	24 lb

October 2d 1775 Then Hercules Mooney one of the Selectmen of Lee made solemn Oath that he had faithfully & impartially taken the above acct before

E. Thompson, J. P.

LEMPSTER.

Males under 16 years of Age	43
Males from 16 years of age to 50 not in the army	31
All males above 50 years of age	4
Persons gone in the Army	1
All Females	49
Negroes and Slaves for Life	0
	128

Fire arms belonging to the town of Lemster seventeen, the Number wanting Eighteen this is a true account according to the above Request

test

ELIJAH BINGHAM } Selectmen.
ELIJAH FONK? }

LITCHFIELD.

Males under 16 years of age	62
Males from 16 years of Age to 50 not in the army	44
All males above 50 years of age	19
Persons gone in the army	13
All Females	136
Negroes and Slaves for Life	10
	284

Colony of New Hampshire } Litchfield 6th October 1775
Hillsboro' ss }

Pursuant to Recommendation from the Honble Provincial Congress bearing Date the 25th August 1775, directed to us the subscribers Select Men of said Town (the other, viz. Capt. John Parker being in the army) we have taken an Exect account, and Number of the Inhabitants of our District, as set forth in the above Columns, all which we humbly report to the Honble Committee of Safety for said Colony & is the return of

ROBERT DARRAH } Selectmen
SAMUEL CHASE }

Litchfield aforesaid 6th October 1775.

Then the said Robert Darrah and Samuel Chase personally appeared and being duly sworn made Solemn Oath to the Fidelity and Impartiality of the above Return.

Coram

Wyseman Claget J. P.

Litchfield 6th October 1775.

Pursuant to a Requisition of the Honble Congress for the Colony of New Hampshire, we the Subscribers Selectmen for said Town, do agree to report, and according Do report That the Number of Fire arms within Our District fit for Use amounts to 39, and Eight more are wanting. That the Quantity of Powder in said Town amounts to 28 lb or thereabouts, and no Public Stock hitherto, Altho money has been raised for that purpose, and advanced, but no Powder to be had, that we know of.

The Return of

ROBT DARRAH } Selectmen for
SAMUEL CHASE } Litchfield.

LONDONDERRY.

Londonderry Sepr 25, 1775.

Gentelman agreeable to your Requisison we have Taken the Number of all the Inhabitants of this Town Which we Remitt to your Honnours in the Following Coloms —

Males under 16 years of Age	618
Males from 16 to 50 Not in the Army	404
All Males above 50	157
Persons gone in the Army	66
All Females	1316
Negroes and Slaves for Life	29
	2590
And the Number of Fire arms is	283
and the Number of Fire arms Wanting To Compleat Every man that we Judge Fite to use them is	183
and the Quantity of Powder as Taken In Each mans house	132 3-4
Town Stock None	

We are Gentelmen your Humble Servents

MOS BARNETT
SAMLL ALLISON
JOHN BELL
WILLM DUNCAN
HUGH MONTGOMERY
} Selectmen for Londonderry.

LYME.

Males under 16 years of Age	57
Males from 16 years of Age to 50 not in the Army	61
All males above fifty years of Age	10
Persons gone in the Army	8
All Females	116
Negroes and Slaves for Life	0
Total	252

N° of the Fire arms in the Town of Lime Fit For use 30 *& Find Wanting To Compleat one For Each Parson* 31 Town Stock of Powder 38 lb No private Stock.

Test JONA. CHILD, JOS SKINNER } Select Men

LYNDEBOROUGH.

Males under 16 years of Age	201
Males from 16 years of Age to 50 not in the Army	103
All males above 50 years of Age	34
Persons gone in the Army	27
All Females	348
Negroes and Slaves for Life	000
	713

Lyndeborough December y^e^ 19^th^ 1775.

Hillsborough ss. Pursuant to the within we the Selectmen of the above s^d^ Town have Numbered the Souls Residing in this Town and find them as is within S——?

att FRANCIS EPES, JOSIAH WOODBURY, NATHAN PEARSON } Selectmen of Lyndeborough

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MADBURY.

Males under 16 years of age	164
Males from 16 years of Age to 50 not in the Army	117
All males above 50 years of Age	38
Persons gone in the Army	7
All Females	345
Negroes and Slaves for Life	6
	677

Fire Arms 78 Powder 60 pounds in the hands of Individuals Publick Stock 60 62 arms wanting to compleat one for Every Person fit to use them

Madbury September the 11 Day 1775

JOHN DEMERIT, JONATHAN MESERVE } Selectmen

Sworn to before E. Thompson

MARLOW.

Males under 16 years of Age	56
Males from 16 years of age to 50 not in the Army	45
All males above 50 years of Age	6
Persons gone in the Army	9
All Females	91
Negroes and slaves for Life	00
	207

There is wanting of Guns Twenty Six that each Parson may have one that is under fifty & about 16 Powder and Lead and flint are all wanting to sopley the whole forty-five.

There is 27 Parsons Numbered in Stoderd Consisting of six females

SAM'L GUSTIN
NATHAN HUNTLEY
EBEN LEWIS
} Select men of Marlow

Marlow July 31st A. D. 1775

We have been Informed that the Honnorebel Congress of this Provence of New Hampshire have Sent word to the New Towns In this Provence to send them an account of what abel and effective men for Baring armes there ware In Each Town and how they are furnished with armes & aminission for to Defend our Selves and the Countrey and we being willing to submit ourselves to the Defensive Service Both with our Parsons and Entrust and to be in Such a Sur cum Stance that we may be Sarvicebel we have taken an acount of what men there is in our Town that are Capabel of Exesising them selves in the Defensive Sarvice and the folowing acount is the Number that want military So pleys hopeing the Honorabel Congress is Both abel and willing to help us to the same. There is Forty Seven Men Inhabitants of the Town of Marlow in New Hampshire effective men Fit to Bear arms and there is Nine of said men in the Sarvice Volunteers in Colonel Stark's Regiment and Colonel Reed's at or near Boston and there is Twenty six of said Men that have No Arms Fit For War and there is No ammunition in the Town and none that the Inhabitants Can Procure unless the provincial Congress have A Store or Can Procure A Store For this and the Neighbouring Towns We shall not Be Able To Defend Ourselves in Case the Indians attack the Upper Towns nor Go on Any Sudden Emergency to Defend the Lower Towns

SAMLL GUSTIN
NATHAN HUNTLEY
EBEN LEWIS
} Selectmen of Marlow.

MASON.

The number of all the Persons belonging to the Town of Mason.

Males under 16 years of Age	148
Males from 16 years of Age to 50, not in the Army	86
All males 50 years of age	12
Persons gone in the army	27
All Females	227
Negroes & slaves for life	1
	501

James Weethee and Joseph Meriam Select men for the Town of Mason appeared before me and made oath that according to Examination and information they have truly and imparshally Numbered all the males and Females in the Town of Mason: Joseph Barrett
Town Clerk.

in Obedience to the Provintial Congress

The number of guns in this Town is 48 and Pounds of Powder 14 1-2. The Number of those that have not guns is 49.—Mason October ye 30th 1775.

MEREDITH.

A Return of the Several Inhabitants of the town of Meredith to the Committee of Safety for the Colony of New Hampshire taken agreeable to the order of the Congress of said Colony.

Males under 16 years of age	70
Males from 16 years of age to 50 not in the Army	50
All males above 50 years of age	7
Persons gone in the Army and at home on furloo	10
All females	122
Negroes and Slaves for Life	0
	259

Meredith October y^e^ 19^th^ 1775

WILLIAM MEAD, NATHANIEL ROBINSON } Selectmen of said Meredith

Strafford ss Meredith October the 20^th^ Then the above Named William Mead and Nathaniel Robinson Personally made oath their fidelity and Impartiality in making the above Return of the several Inhabitants of said meredith by them Subscribed Sworn before me

Ebenezer Smith Justice Peace.

To the Committee of Safety for the Colony of New Hampshire the Return of the Selectmen of the town of Meredith in s^d^ Colony we find by Examination that in said town there is thirty guns or fire armes fit for Service and that Eleven more has been carried from here by our Soldiers to the Continental Army and that there is twenty six more wanting to supply each man with one that is capable of using the same and as to Powder we have 50 pound in Stock one hundred wait of Lead & 12 Duzen of gunflint in stock but what is in private hands is so small a Quantity that it is not worth mentioning here

EBENEZER SMITH, WILLIAM MEAD, NATHANIEL ROBINSON } Select men of said Meredith

Meredith Oct ye 19 1775.

MIDDLETOWN.

A list of the number of Souls in Middletown in the County of Strafford & Province of New Hampshire

Males under 16 years of Age	72
Males from 16 years of age to 50 not in the army	40
Males above 50 years of Age	7
Persons gone in the Army	6
All Females	108
Negroes and Slaves for Life	0
Total	233

The above account was taken by W^m^ Buzzell and Sworn to Before Simon Dearborn Just Peace. There is in Middletown 27 fire arms fit for use and 20 wanting & 4 lb of Powder, the above account was taken by William Buzzell one of the Selectmen for Middletown

MONADNOCK No. 5, (now Marlboro).

Males under 16 years of age	104
Males from 16 years of age to 50 not in the army	54
All Males above 50 years of age	2
Persons gone in the Army (out of which no 2 are dead)	16
All Females	148
Negroes and Slaves for Life	0
	322

Monadnock No. 5 Oct^{r} 3^{d} 1775.

In Obiediance to the Directions herein given, we have taken a true account of all the persons belonging to this place and have Set the same Down in the Collums above also an. acc^{t} of Fire arms fit for Use (viz) 26 & the number wanting is 28. Powder 5 1-2 lb those persons that are gone in the army have furnished themSelves with Fire Armes.

Benja Tucker } Selectmen of
Elipha Stone } Monadnock No. 5

NEW BOSTON.

Males under 16 years of Age	164
Males from 16 years of Age to 50, not in the Army	98
All males above 50 years of age	27
Persons gone in the Army	20
All Females	256
Negroes and Slaves for Life	4
	569

Provence of New Hampshire } September 16th A. D. 1775
Hillsborough ss } Ninian Clark, John Cochran and James Willson Select Men for the Town of New Boston Made Solomn oath that the numbers as they are set down in each Column above is a just and true Return of all the souls in said New Boston as Given in to them

Before William Clark Just Peace.

NEW BRITTAIN (now Andover.)

Males under 16 years of Age	56
Males from 16 years of Age to 50 not in the Army	38
All males above 50 years of Age	5
Persons gone in the Army	3
All Females	77
Negroes and Slaves for Life	0
	179

The number of the fire arms twenty seven we are destitute of Powder and ball as to a town Stock or Privet Stoers.

Joseph Severens
Thos Blake
Selectmen of New Brittan

the abouf Named Parsons Parsonally apered and mad oth that this was a true and Just account Before me Paul Smith Marstan town Clark

New britton Septembor the 19 1775

NEW CASTLE.

Males under 16 years of Age	101
Males from 16 years of age to 50 not in the army	85
All males above 50 years of age	33
Persons gone in the Army	—
All Females	221
Negroes and Slaves for Life	9
	449

Colony of New Hampshire } Portsmo February 15th 1776
Rockingham ss } Then Capt. John Swispoon and Henry Prescott Esqr appeared and made Solemn Oath to the Truth of the above acct of the Inhabitants in New Castle Taken by those Persons the 18th of September Last 1775

Coram H. Wentworth Just Peace

An exact account of the Fire arms fit for Use and the Powder in the Town of New Castle Taken the 18th Day of Septemr 1775, by the Select men of said Town, agreeable to an order from the Provincial Congress, — viz — Sixty Three Fire Arms and Sixty Eight Pounds of Powder.

A true Copy taken from the Town Minutes

Henry Prescott Clk

Febry 19th 1776.

NEW CHESTER (now Hill).

N. Chestr Septembr 9th 1775

Whereas it is Recommended to us Necessary that an exact account of the inhabitants of the Several Towns within this Colony Should Be Transmitted to the Congress in obedience there to we have taken an exact account as have Been Given to us By the heads of the families Belonging to the same or those knowing thereto

Males Under 16 years of age	66
Males from 16 years of Age to 50 not in the Army	32
All Males above 50 years of age	5
Persons gone in the Army	5
All Females	88
Slaves none in the town	00
	196

The number of fire arms Fit for use within this Town 26
The number of fire arms wanting in this town 11 all the powder in the Town not more than two or three pounds this from your Humble Servants

Carr Huse } Select men
Rob't Forsith } For N. Chester

NEW DURHAM.

Males under 16 years of age	70
Males from 16 of age to 50 not in the army	50
All males above 50 years of age	15
Persons gone in the Army	6
All females	144
Negroes	1
	286
gones *guns?*	27

New Durham September ye 27 1775

this is to Inform your honour that We have No Town Stock of poder We woant twenty Gones [guns]

JOHN BENNETT } Select-
EBENEZER DREW } men

Etested to before me Jonathan Folsom
Town Clark

NEW DURHAM GORE.

Sept 26 1775 the Number of Souls in ye Gore

Males under 16 years of age	35
Males from 16 to 50	20
Males above 50	1
feemales	44
None in the sarvice	
the holl number	100

No Poweder and ball in ye Gore
fire arms wanted 10

By Jacob Chamberlin

NEW GRANTHAM.

Males under 16 years of age	11
Males from 16 years of Age to 50 not in the army	20
All males above 50 years of Age	4
Persons gone in the Army	1
All Females	37
Negroes and Slaves for Life	1
	74

To the Honourable ye Provincial Congress for Colony ye of New Hampshire Gentlemen, I being appointed and under oath by ye Selectmen of Plainfield agreeable to ye above requisition and have taken ye number of ye Inhabitants which is agreeable to ye above Schedule and also of ye fire arms in sd town which are but two fit for use and Eighteen wanting powder we have not any

ABEL STEVENS

New Grantham October ye 2d 1775

NEW HOLDERNESS.

Province of
New hampshire
New holderness
Sep^{r} y^{e} 26th 1775

An exact account of the number of Inhabitants Within this town according to the order of Congress dated August 25th 1775.

Males under 16 years of age.	Males from 16 to 50 not in the army.	Males above 50.	persons gone in the army.	females.	Negroes slaves for Life.	Fire arms.	Fire arms wanting.	Quantity powder.	Total Sum of people.
3	5	.....	.....	4	.....	2	.....	.....	12
2	1	.....	.....	2	.....	.....	1	.....	5
.....	1	.....	.....	2	.....	1	.....	½lb	3
.....	1	.....	.....	2	.....	.....	1	.....	3
1	1	.....	.....	4	.....	.....	1	3 oz	6
2	3	.....	.....	6	.....	3	.....	½ lb	11
2	1	1	.....	3	.....	1	.....	.....	7
2	1	.....	.....	2	.....	.....	.....	.....	5
3	1	1	.....	4	.....	2	.....	.....	9
3	3	.....	.....	3	.....	2	1	1 lb	9
6	.....	1	.....	3	.....	1	0	.....	10
3	1	.....	.....	2	.....	1	1	.....	6
1	1	.....	.....	2	.....	.....	1	.....	4
1	1	.....	.....	2	.....	1	.....	.....	4
2	1	1	.....	2	.....	1	.....	.....	6
3	1	.....	.....	5	.....	.....	1	.....	9
2	2	.....	.....	5	.....	1	1	.....	9
3	1	.....	.....	1	.....	1	.....	.....	5
.....	.....	1	.....	1	.....	1	.....	.....	2
.....	1	.....	.....	1	.....	1	.....	.....	2
2	1	.....	.....	3	.....	1	.....	.....	6
3	1	.....	.....	4	.....	1	.....	.....	8
.....	1	.....	.....	2	.....	.....	1	.....	
.....	1	.....	.....	1	.....	1	.....	.....	2
1	1	.....	.....	2	.....	1	.....	.....	4
2	1	.....	.....	1	.....	1	.....	.....	4
1	1	.....	.....	2	.....	1	.....	.....	4
.....	1	1	.....	2	.....	.....	1	.....	4
1	1	1	.....	5	.....	.....	1	.....	7
.....	.....	1	.....	1	.....	.....	.....	.....	2
49	36	7	.....	80	.....	25	10	1½ lb 3 oz	172

Oct^{r} 17th 1775 Then Andrew Baker & Bryan Sweeney Two of the Select o the Town of New Holderness made oath To their fidelity of this List.

Before me

Sam Sheperd Town Clerk.

NEWINGTON.

October 1775 Number of Inhabitants in the Town of Newington & Arms Missing

Males under 16 years of Age	97
Males from 16 years to 50	90
All males above 50	34
Men in the army	6
Females	266
Negro Slaves for Life	39
	532
Arms missing	20
Powder in Both Stocks	60
Fire arms in Stock	93

The above account is given according to Directing from the Congress from Exeter in a Convention held in said town to the best of our capacity. We subscribe our name

JOSEPH ADAMS
EPHRAIM PICKERING
TIM'Y DAME
} Selectmen of Newington

NEW MARKET.

Males under 16 years of age	322
Males from 16 years of age to 50 not in the army	212
All males above 50 years of age	50
Persons gone in the Army	30
All Females	658
Negroes and Slaves for Life	17
	1289

Agreeable to the within orders, we the Subscribers have carefully taking the Account of the Number of the Inhabitants of the Town of New Market.

THO'S TASH
SAMLL PEASE
JOSIAH ADAMS
} Select Men

Town of New Market
New Market Nov^{r} 15th 1775.

NEWPORT.

Colony of
New Hampshire }

Newport Sept^{r} 19th 1775

Whereas a Resolve pass'd the Honorable Provincial Congress August 25th 1775 Recommending that the Select men of the several Towns &c in said Colony take an exact number of the Inhabitants of their respective districts including every soul in the same in Seperate Columns, in Compliance to the foregoing requisition the following Schedule is presented by the Selectmen of Newport aforesaid.

Males under 16 years of age	46
Males from 16 y^{s} of age to 50 not in the Army	39
All males above 50 years of age	4
Persons gone in the Army	1
All Females	67
Fire arms fit for Use	14
Powder	2 pounds
	157

JOSIAH STEVENS, AARON BUEL, JESSE LANE } Select Men of Newport

To the Honorable Comm^{tt}
of Safety for the Colony of New Hampshire

NOTTINGHAM WEST.

To the Honourable Committee of Safety For the Province of New Hampshire

Gentlemen In Compliance to Resolve of Congress at Exeter we have taken an Exact acount of Every Soul belonging to the Town of Nottingham West (viz)

Males under 16 is	168
Males from 16 to 50	100
Males above 50 is	36
Persons in the Army	22
Females is	319
Slaves is	4
Total	649

N. B. the Quantity of Powder taken by Estimation as near as Possible is 25 lb

Guns fit for use	66
Guns wanting is	32

The above acount taken by us this 2^{d} day of October 1775

JOHN HASELTINE, Jun, ASA DAVIS } Selectmen of Nottingham-West.

Nottingham-west October 4th 1775 This day Personaly appeared before me the subscriber the above Named Selectmen and made Oath to the contents of the above Number of Souls taken by them to be a true account.

Before me Sam^{l} Greele Town Clerk

NOTTINGHAM.

Males under 16 years of Age	268
Males from 16 years of age to 50 not in the Army	165
All males above 50 years of Age	26
Persons gone in the Army	22
All Females	502
Negroes and slaves for Life	16
	999

The Number of Fire arms in the Town of Nottingham is 101 the Number wanting to Compleat one for every parson fit to bear arms 68 Powder in the Inhabitants Hand of theire Property 42 lb & 3-4 In the Inhabitants Hand of the Colony Stock 30 lb & 3-4 in the Selectman's Hand of the Colony Stock 22 lb & 1-2 Town Stock None.

Per THO BARTLETT Selectman

Sep^{r} 6th 1775.

Colony of New Hampshire } Nottingham Sept 11th 1775
Rockingham ss } Then Thomas Bartlet personally appearing made Solemn Oath that he had taken the above accompt according to the above Recommend with Fidelity and Impartiality sworn before me

Benjamin Butler Justice of Peace.

NORTHUMBERLAND.

the Number of all the Souls in Northumberland taken Sept^{m} 16 1775 By Joseph Peverly Esq^{r}

Males under 16 years of age	9
Males from 16 years of age to 50 not in the Army	20
All males above 50 years of Age	2
Parsons gone in the Army	0
All Females	19
Negroes & Slaves for Life	00
	50

7 Guns fit for use and 10 lb of Powder 15 Guns wanting.

NORTHWOOD.

Males under 16 years of Age	85
Males from 16 years of Age to 50, not in the Army	57
All males above 50 years of Age	6
Persons gone in the Army	10
All Females	155
Negroes and slaves for Life	0
	313
Powder	10 pounds.

Samuel Johnson
Sherbun Blake

Northwood August 18th 1775 an exact aCount of the fire arms and of those that are wanting and there is thirty six fire arms — 36 and there is sixteen fire arms wanting — 16

Dun by us

SAMUEL JOHNSON } Selek-
SHERBUN BLAKE } men

Rockingham Ss. September 26th 1775 then Samuel Johnson Shurborn Blaike Selectmen for Northwood all personaly appeared and mad Solemn oath that they have taken an Exact Number of all the males and femalles in the parish of Northwood persuent to a Warrant from the Congress.

Sworn before Increas Bat
Parish Clark.

NORTH HAMPTON.

Males under 16 years of age	153
Males from 16 years of age to 50 not in the army	97
all males above 50 years of age	39
Persons gone in the army	24
All Females	335
Negroes & Slaves for Life	4
	652
Guns	122
Powder in this Place	86 lb

Ageable to the Recommendation of the Honreble Congress of the Colony of New Hampshire we the Select Men of North Hampton have Don According to above Mentchin Reequest we find 15 Men not capable of using arms 50 Pounds of Powder in Stock.

DAVID MARSTON
BENJAMIN LEAVITT } Selectmen.
JOHN LAMPREY.

NEWTOWN.

The Noumber of the Inhabitants of

Males under 16 years of age	121
Males from 16 to 50 years of age	96
All Males above 50 years of age	30
Persons in the army	8
All Females	283
Negroes and slaves for life	2
	540

Newtown September 6th ye 1775.

Then Mr. Mathias Bartlet and Francis Chase Jun Selectmen for Newtown appeared Before me and give oath that the above account to be True Numbers.

Samuel Hoit, Town Clerk.

The Number of the Fire Arms in Newton	42
The number what is wanting	39
The Noumber of the Quakers fire arms	9
Wanting	7

ORFORD.

Males under 16 years of Age	60
Males from 16 years of age to 50 not in the army	42
All Males above 50 years of Age	7
Persons gone in the army	5
All Females	106
Negroes and Slaves for life	2
Sum Total	222

Fire armes fit for use thirteen the number wanting to compleat one for Each Person Capable of using them Twenty-nine nither Pouder Led nor flints in any perticular Persons hands Town Stock of Pouder thirty Pounds. The above is a true and Exact account of the number of the Inhabitants of said Orford and their age as above is Set Down and Ouer Surconstances Respecting armes and ammonision.

DAN[ll] TILLOTSON } Select Men
Atest JON[a] SAWYER } in Orford.

Sept[r] 15[th] 1775.

PETERBOROUGH.

Males under 16 years of Age	139
Males from 16 years of Age to 50, not in the Army	77
All males above 50 years of Age	23
Persons gone in the Army	25
All Females	277
Negroes and Slaves for Life	8
	549
Fire arms	23

PETERBOROUGH SLIP.

Males under 16 years of Age	31
Males from 16 years of Age to 50 not in the Army	17
All males above 50 years of Age	1
Persons gone in the Army	6
All Females	52
Negroes and Slaves for life	0
Total	147
Fire arms	7

September y[e] 7[th] 1775.

Then the Select men of the Town of Peterborough mad Oath that according to the within Precept they have Entr[d] an Exact account of all the Inhabitants and fire-arms in s[d] town according to there Best Judgment

Before Sam[l] Mitchel T[n] Clark.

September y[e] 7[th] 1775.

Then the Selectmen of Peterboroug Slip made Oath that according to the within Precept they have Ent[d] an Exact account of all the Inhabitants and fire arms in s[d] Peterboroug Slip according to their Best Judjment.

Before Sam[l] Mitchel T[n] Clark.

PEMBROKE.

The number of the Inhabitants of Pembroke in the County of Rockingham & Province of New Hampshire.

Males under 16 years of Age	179
Males from 16 years of Age to 50 not in the Army	114
All males above 50 years of Age	33
Persons gone in the Army	23
All Females	388
Negroes and Slaves for Life	7
Total	744

The above Taken by us the Subscribers Sept y^e^ 30^th^ 1775.

RICHARD BARTLETT
DAVID ABBOT
DAVID GILMAN
} Selectmen

Province of NewHamp^e^ } October the 16^th^ 1775 then Richard Bartlett Esq^r^
Rockingham Ss. } David Gilman Gent. and David Abbot aforenamed Selectmen for Pembroke in said County Severally made Solemn Oath (that Pursuant to the Resolve of the Provincial Congress of the 25^th^ of August 1775) that the afore goⁿ Return by them subscribed is an Exact account & number of all the Inhabitance of said Pembroke in manner as above Discribed as taken Severally by them with fidelity and without partiality.

Coram Walter Bryant Jus^e^ Pacis.

PERRY'S TOWN (now Sutton.)

The exact account of the number of the Inhabitants of Perryes Town

Males under 16 years of Age	39
from sixteen years of Age To fifty years of age	22
from Fifty years of age and upwards	05
gon In the army	04
Females — Two without any age	2
Females	58
Negroes and Slaves for life	0
	130
Guns fit for use	12
Guns wanting for Town	17
Powder for Town none.	

BENJ^a^ WODLEY

Warner September y^e^ 9^th^ Day 1775 then the above named Benjamin Wadley aceseser for Perryes Town Personly appeared and after Being Duely Cautioned made Solom oath To the Truth of the above acount.

Before me Dan^l^ Flanders Town Clerk

PELHAM.

To the Honorable Committee of Safety For the Province of Newhamp^{r} shire.

Gentlemen In Compliance to a Resolve of Congress at Exeter we have taken an Exact account of Every Soul belonging to the Town of Pelham (viz)

Males under 16 is	206
From 16 to 50 is	112
Males above 50 is	40
Males in the armey is	29
Females is	362
	749

N. B. The Quatity of Powder taken by Estimation as near as Possible is 28 lb

Guns fit for use is 110

Guns wanting is 40

The above account taken by us this 12th day of Sept^{r} 1775.

JAMES GIBSON, AMOS GAGE, P. RICHARDSON JUN } Selectmen of Pelham.

Pelham Sep^{tr} y^{e} 12th 1775. This day Personally and severally Appear^{d} before me the Subscriber the above Named Select men and made oath to the Contents of the above Number of Souls taken by them to be a true account.

Daniel Barker Town Cl.

PACKERSFIELD (now Nelson).

Pursuant to the request of the Provential Congress in New Hamp^{r} wee have taken the number of all the Inhabetants of the Towne of Packersfield with those gone in the army & the Cuntity of Powder also the account of the fire arms fit for use & those wanting to Complete one for Every person Capable of using them as Exhibited in the following Schedule

Males under 16 years of age	52
Males from 16 to 50 years of age	34
Males above 50 y of age	4
Persons gone in the army	13
Females	83
Negros & Slaves for Life	00
	186
fire arms fit for use	23
fire arms wanting	10
Powder	6

Packersfield October 2^{d} 1775.

ELEAZER TWITCHELL, JOHN SPINNEY } Selectmen

To the Com^{tee} of Safety for the Colony of New Hamp^{r}

PIERMONT.

To Col.

Israel Morey one of the Committee for Colony of New hampshire Pursuant to the Direction of the Provincial Congress Received By us the Subscribers, Selectmen in the Town of Piermont, We have taken the Exact Number of the Inhabitants in s[d] Town, Including every soul in y[e] same

Males under 16 years of Age	52
Males from 16 years of age to 50 not in the Army	28
Males above 50 years of Age	4
Parsons gone in the Army	15
Females	69
	168

Fire arms now in the Town, one, the Number of fire arms Wanting to compleat one for Every Person capable of using them thirty one, Neither Powder, Lead nor flints in any particular Persons hand, Town Stock of Powder sixteen Pounds. The above is a true and Exact account of the Number of the Inhabitants in s[d] Piermont, and their ages as divided into Columns, and the Circumstances of s[d] Town Respecting arms and ammunition.

JOHN PATTERSON
JOHN WEED
JONATHAN CHANDLER } Selectmen in Piermont.

Septemb[r] 18[th] A. D. 1775
Certified by us.

POPLIN.

Males under 16 years of Age	153
Males from 16 years of Age to 50 not in the Army	92
All males above 50 years of Age	24
Persons gone in the Army	7
All Females	274
Negroes and Slaves for Life	2
	552

JAMES MERRILL
ENOCH BROWN
EZEK'L GODFREY } Select men Poplin

Rockingham ss October y[e] 4[th] 1775

Then James Merrill Enoch Brown & Ezekiel Godfrey personally appeared and gave oath that they have Impartially in fidelity numbered Every Soul in the Parish of Poplin & find the number hereto annexed agreeable to this precept.

before me Zach[s] Clough Just[t] peace

PORTSMOUTH.

Males under 16 years of Age	1013
Males from 16 years of Age to 50, not in the Army	823
All males above 50 years of Age	191
Persons gone in the Army	50
All Females	2373
Negroes and Slaves for Life	140
	4590

GEORGE HART
GEO GAINS
WM. LANGDON } Selectmen

Portsm[o] November 6[th] 1775.

Colony of New Hampshire Rockingham ss Portsmouth Nov. 6, 1775. Then the above named George Hart George Gains & William Langdon Selectmen of said Portsmouth personally appearing made solemn oath that they had faithfully & impartially taken the Accompt Exhibited by them on the other side of this Paper

Before Sam[l] Penhallow Justice Peace

PLYMOUTH.

Males under 16 years of Age	93
Males from 16 years of Age to 50 not in the Army	83
All males above 50 years of Age	15
Persons gone in the Army	8
All Females	178
Negroes & Slaves for Life	5
Total	382

The above is the Exact account of the Inhabitants of the Town of Plymouth in the Colony of Newhamp[r]. The accont of Fire arms is as has been Transmitted to Congress about Six Pounds of Gunpowder private property.

Plymouth October 20th 1775.

SAM'L EMERSON
JAMES HARVELL } Selectmen
THOMAS LUCAS

October 27th 1775 Then the above Named Sam[l] Emerson James Harvell & Thomas Lucas Select Men made oath to the Truth of the above acct— before me

Abel Webster Town Clerk.

PLAISTOW.

Province of Newhampshire Rockingham } To the Committee of Safty By order of Congress we have taken an Exact acount of the inhabitance of Plastow and the Number of fier arms fite for use and of those that are wanting and also the Powder that is in s[d] town in the manner as follows: Males under 16 years of age 129. Males from 16 to fifty 85. All males above 50 years of age 35 Parsons gone in the Armey 33: All females 288 Negroes and slaves for life 5; fire armes fite for use 46 and those that are wanting 39: and the quantity of Powder 10 Pounds and also a Count of the Blankits ten in Number to the Vallu of six Pound six shillings Lawful money A true Count from us

Plastow September y[e] 18 1775

DAVID STEVENS } Select men
EZEKIEL GILE } for Plastow

Sep[r] 18th 1775 the above named David Stevens & Ezekiel Gile made oath to the truth of acct before

Joseph Welch, Jus Pae.

PLAINFIELD.

To the honorable Provention Congress to be holden at Exeter adjournment the 22 day of this Instant August whare as it hath plesed the said honorable Congress at y^e^ ordr Last sescions to recommend to the Select men of the Sevevral towns in this Province to see what armes wold be wanted; we the Subscribers having taken the burden on us and we find 85 men and 36 of them has guns these from us the Subscribers — Plainfield ss County of Chescher August y^e^ 16 A. D. 1775.

BEN KIMBALL
THOMAS GALLEYS
JOSIAH RUSSELL JR
LEMUEL WILLIAMS
JOSEPH KIMBALL
} Select-men

Males under 16	78
Above 16 under 50	83
Above 50	13
females	134

October y^e^ 25 1775 The above is a true account of the Inhabitance of the town of Plainfield taken by us the Subscribers

test pr BEN KIMBALL
JOSEPH KIMBALL
} Select men

RICHMOND.

The Number of the Inhabitence of the town of Richmond is as followeth

Mails under 16 years of Age	280
Mails from 16 of Age to 50 not in the Army	143
All mails above 50 years of Age	16
Persons gone in the Army	26
All Females	395
Negroes and slaves for Life	0
	860
Guns fit for use	56
Powder	5 lb
the number of fier arms wanting	88

The above Account taken by Us

WM. GODDARD
ENOCH WHITE
DANIEL READ
} Select Men

Dated at Richmond
September the twenty third A. D. 1775

RAYMOND.

Males under 16 years of Age	187
Males from 16 years of age to 50 not in the Army	120
All Males above 50 years of Age	24
Persons gone in the Army	18
All Females	334
Negroes and Slaves for Life	0
	683

Rockingham ss Raymond Sep^{r} the 11th 1775 Then John Dudley Esq Thomas Gorden and Ebenezer Cram Select Men of said Raymond made Solom Oath to the truth of the number of the Persons Sett in the within lines that it Contains all the Persons Living in said Raymond to the best of their Knowlidge before me Jon^{a} Swain Parish Clerk

RUMNEY.

Pursuant to the Advice of Congress we the Subscribers have taken an Exact List of the fire Arms in the Town of Rumney and find Thirty one Guns in said Town and we also find Wanting Seventeen Guns in said Town to furnish the Inhabitants thereof agreeable to the late law of Said Province.

Rumney August 19th 1775

DANIEL BRAINERD } Select men
ALEXANDER CRAIG } of Rumney

Males under 16 years of Age	77
Males from 16 years of age to 50 not in the Army	41
All males above 50 years of Age	4
Persons gone in the Army	11
All Females	104
Negroes and slaves for Life	0
Sum total	237

The above is an impartial account of the inhbants of the townd of Rumney taking by us No powder worth a mentising

ALEXANDER CRAIG } Select
HENRY HALL } Men

October y^{e} 28 1775

Personally appeared Alexander Craige & Henry Hall Select of Rumney and maid Solem oath to the truth of the above account

Before me Daniel Brainerd Justice peace

ROCHESTER.

Males under 16 years of Age	396
Males from 16 years of Age to 50 not in the Army	303
All males above 50 years of Age	61
Persons gone in the Army	26
All Females	759
Negroes and Slaves for Life	3
	1548
No Fire arms	206
Powder to Privites	36 3-4 lb.
Powder Town Stock	36 Do.

A true Account Taken by the Select men of said Town Sep^{tr} y^{e} 14th 1775. To the Committee of Safety for the Colony of New Hampshire.

RYE.

Males under 16 years of Age	206
Males from 16 years of Age to 50 not in the Army	146
All Males above 50 years of age	47
Persons gone in the Army	15
All Females	442
Negroes and slaves for life	14
	870

Powder 161 Pounds public Stock none Guns 170.

Province of New hampshire } Rockingham Ss. } Rye August 31th 1775 then Decen Francis Jenness and Mr. Nathan Gorss appeared and Made oath to the above Inventory Before me Samll Jenness Justis Peace.

N. B. 21 of the above men are not abel to Bare armes By Reson of Old Age Being Crpled.

SANDWICH.

Males under 16 years of Age	81
Males from 16 years of Age to 50 not in the Army	45
All males above 50 years of Age	9
Persons gone in the Army	1
All females	109
Negroes and Slaves for life	00
	245

The number of fire Locks fit for use in Sandwich is 27. The Gun Powder thirty six Pound which is in town Stock.

Sandwich Sepr 20th 1775 the above Numbers were taken Carefully by us in Pursuance of the above order.

JOSHUA PRESCUT } Select Men of
MARK JEWEL } Sandwich.

Sandwich Sep 20th 1775 Then the above Namd Joshua Prescut & Mark Jewel Made Solemn Oath that the above numbers by them Subscribed to is the Just & true number of ye Soles ages & fire locks & Gun Powder found in Sandwich. Before Daniel Beede, Town Clerk.

SANDOWN.

Males under 16 years of Age	157
Males from 16 years of Age to 50, not in the Army	93
All males above 50 years of Age	28
Persons gone in the army	34
All Females	323
Negroes & slaves for life	0
	635

Forty fier arms fit for use and fiffy Eight Wonten — And about Six or Seven Pound of Pouder.

JOSEPH TILTON } Selectmen
BENJAMIN COLBY } of
DAVID MOULTON } Sandown.

Province of New Hampshire

Rockingham Sandown September the 25 Day 1775 then the above Selectmen appeared and maid oath to the above Numbers of soles and to the guns and to the ammonition

Before me Jethro Sanborn Just of peace.

SANBORNTON.

Males under 16 years of Age	120
Males from 16 years of Age to 50 not in the Army	87
All males above 50 years of Age	12
Persons gone in the Army	20
All Females	219
Negroes and slaves for Life	1
	459

Fire arms 68 wanting 39
Powder Public Stock 103 Pounds. A true account taken by

JNO. SANNBORN Selectman.

Province of New Hamp Strafford SS. } Sandbornton October ye 18th 1775 then John Sanborn gave oath to the truth of the above account before me Dan[l] Sanborn Justice Peace.

SALEM.

All Males under 16	296
Males from 16 to 50 not in the army	151
All males above 50	49
Persons in the Army	47
All Females	539
Negroes	2
	1084

Powder	43 pd
Fire arms	104
Town Stock of Powder	71 lbs.

JOHN KELLEY, CALEB PRESTON } Select men.

Dated October 4th 1775.

The within account Sworn to

Before me John Hall, Town Clerk.

SALISBURY.

Colony of Newhampshire Hillsborough SS } Salisbury October ye 3d 1775 to the Gentlemen the Committee of Safety for said Colony pursuant to a Letter to us Directed from the President of the Provincial Congress we have taken an Exact number of the inhabitants of this town including Every Soul in said town and is as follows viz

Males under 16 years of age	142
Males from 16 years of age to 50, not in the army	92
All males above 50 years of age	15
persons gone in the Army	6
all females	242
Negroes and slaves for life	1
	498

fire arms fit for use 47 armes Wonted 45 the above is a true account taken By us.

JOHN COLLINS } Selectmen
LEONARD JUDKINS } for Salisbury.

Hillsborough SS. Salisbury November the 19th 1775 Then John Collins & Leonard Judkins mayed Oath that the above is an Exat acompt of the inhabentence of sd town Before Joseph Bean Justice peace.

SAVILLE (now Wendell.)

Province of New Hampshire } Saville Septr 19th 1775. Whereas a Resolve passed the Honourable Provincial Congress August the 25th 1775, Recommending that the Selectmen of the Several Towns &c. in said Colony to take an Exact Number of the Inhabitants of their respective districts, including every Soul in the Same, and that in such places where no Selectmen are Chosen, that the Selectmen of the next Adjacent Town take the same or some suitable person living in such Place by their Appointment &c, Agreeable to the aforesaid direction and appointment of the Select Men of Newport, I the Subscriber have taken the exact Number of the Inhabitants of Saville aforesd including every Soul in the same in seperate Colums as follows.

Males under 16 years of age	15
Males from 16 years of age to 50 not in ye army	14
All males above 50 years of age	4
Persons gone in the army	3
All females	29
Slaves	none.
	65
Fire arms fit for use	5
Powder	one Pound.

SAMll GUNNISON.

JOSIAH STEVENS } Select Men
AARON BUEL } of
JESSE LANE } Newport.

Cheshire Ss. Newport Sept 18th 1775. These Certify that the above Signed Samuel Gunnison was Solemnly Sworn to the due Execution of the above mentioned Service.

Coram Benjn Giles Jus: Pacis.

SEABROOK.

Males under 16 years of Age	144
Males from 16 years of age to 50 not in the Army	109
All males above 50 years of Age	39
Persons gone in the Army	11
All Females	304
Negroes and Slaves for Life	
	607

Seabrook October the 5th 1775 then Nathan Green Winthrop Gove & William French Select men for Seabrook made Oath to their fidelity and impartiality there in that they have Numbered all the Souls with the fire armes and powder according to the above Riten Order to the beast of their Nolidge & Judgment Before me Jon[a] Fifield Justice peace the Number of the fire armes is 74 of Powder the Quantity is twenty four pound. 24

SOMERSWORTH.

Males under 16 years of age	245
Males from 16 years of age to 50, not in the army	129
All males above 50 years of Age	36
Persons gone in the Army	46
All Females	479
Negroes & Slaves for Life	30
	965

EBEN[r] ROBERTS
DANIEL GOODWIN } Selectmen.

SOUTH HAMPTON.

Whereas it being Recomended to us the Subscribers that an Exact Number of the Inhabitants of our Town was Necessary Including Every Soul In Seperate Columns We have Taken them as followeth

Males under 16 years of age	109
Males from 16 to 50 not in y[e] Army	92
All males above 50 years of age	27
Persons gone in the army	10
All Females	259
Negroes and Slaves	1
	498

It Being further Recommended that we Return the number of fire arms in our District fit for Use and the Number wanting to Compleat one for Every Person Capable of using them to Gether with the Quantity of Powder which we have Done according to the Best Information we Can Obtain and we find it as followeth

The Number of fire arms fit for Use	66
The Number Wanting	31
The Quantity of Powder	58 lb

ABEL FRENCH
JOSEPH JONES
JOSEPH MERRILL } Select Men

South Hampton Sept[r] 12th 1775
Rockingham ss

To the Committee of Safety for This Colony

STODDARD.

An account of the number of persons in the Town of Stoddard, formerly called Limerick, and all the fire arms fit for use — with the No. wanted to Complete

Males 16 years old and under	75
Males from 16 years old to 50	38
Males above 50 years of age	7
Persons in the army	11
All Females	93
Slaves for life	0
	224
guns fit for use	14
Wanted guns to Complete	24

Powder and Lead & Flints are all wanting to Supply the whole Number

ISAAC TEMPLE } one of the Select men of Stoddard.

Sept y^e^ 20^th^ 1775 the reason why there is But one Selectman's name to this Return is because they y^e^ oather two Refused to act in the affair till I had Took the Number I. Temple.

there is 27 Parsons of the above Number that is Numbed in Marlow

The accoumpt of the Inhabitants armes and ammonition in the town of STODDARD.

Males under 16 years of age	77
Males from 16 to 50 years not in the Army	38
All Males above 50 years of age	8
Persons gone in the army	12
All females	96
Negroes and Slaves	0
	231
Guns	19
Powder	

OLIVER PARKER } Select
EPHRAIM ADAMS } men

Taken Sept y^e^ 27^th^ 1775 by ——

STRATFORD.

The Number of all the Souls in Stratford taken Sept^m^ 1775 By James Brown

Males under 16 years of age	15
Males from 16 years of age to 50 Not in the army	14
Males above 50 years of age	00
Parsons gone in the Army	2
All Females	10
Negroes and Slaves for Life	
	41

7 Guns fit for use 7 Guns wanting 12 lb Powder

JAMES BROWN.

SURRY.

New Hampshire Cheshire County Surry Sep^{br} y^{e} 13 a d 1775 in obedance to the Honarble Provincial Congress wee have taken an Exact acount of the inhabitants of said Surry and other things Recommended by said Congress.

Mails under sixteen	59
Mails from 16 years old to 50	37
All mails above 50 years old	8
Parsons gone in the Army	7
All Females	104
	215
Guns	23
Powder	5 wt
Guns wanting	22

OBADIAH WILLCOX, JOHN MARVIN } Secet-men.

SWANZEY.

Males under 16 years of Age	168
Males from 16 years of Age to 50 not in the Army	118
All males above 50 years of Age	25
Persons gone in the Army	20
All Females	316
Negroes and Slaves for Life	0
	647

SAM'L HILLS, AARON PARSONS, SAMUEL PAGE } Select Men

Powder 16 lb The Number of Fire arms fit for Use 72 the Number of Fire arms Wanting 50

Cheshire ss Swanzey September ye 1stth 1775.

These may Certify that Samuel Hills, Samuel Page Aaron Parsons and David Belding jun^{r}, Selectmen of Swanzey were this Day Sworn to Deal Faithfully Truly and Impartially in taking and Exhibiting an account of the Number of Inhabitants in the Town of Swanzey agreeable to a Resolve of the Provincial Congress

pr Tho^{s} Applin Town Clerk.

TEMPLE.

Males under 16 years of Age	143
Males from 16 years of Age to 50, not in the Army	94
All males above 50 years of Age	6
Persons gone in the Army	18
All Females	230
Negroes & Slaves for life	0
	491

Agreeable to y^e^ above requisition we have numbered y^e^ souls in this Town and find them as above — guns in repair 66 and out of repair 4.
Powder, Town's Stock 112 lb and Private Stock 45.

pr SAM'L HOWARD, EPHRAIM BROWN } Selectmen.

Error Excepted

Dated in Temple Oct^r^ 28 1775. October the 28 y^e^ 1775 the above Named Sam^l^ Howard and Ephraim Brown parsonaly apeard and mad Solom Oath to the aBove Return to be just and true a Cording to the Best of thear judgment Before Ephraim Heald Just Peace.

THORNTON.

To the Committee of Safety in Exeter

Gent men Agreeable to advice of the Congress We The Scribus Select men of Thornton have taken an Exact account of the inhabitence of Thornton and they stand as followeth

Males under sixteen years of Age (twenty and six)	26
Males from 16 years of agé to 50 not in the army (twenty and six)	26
All males above 50 years of Age (Five)	5
Persons Gone in the Army (eight)	8
All Females (Fifty and Two)	52
	117

There is Six fire Arms in the Town of Thornton and twenty five wanting to Compleat one for every person Capble of Using them there are divers now in the town whose fire Arms are gone in the Army there is about three Pounds of Powder in the town aforesaid. This from yours to serve.

Thornton September 20 1775

JOHN BROWN, ABEL WILLEY } Selectmen of Thornton

UNITY.

Colony of New hampshire Cheshire ss } To the Honorable provincial Congress of the Colony of New hampshire att Exeter Gentle men whereas it is Necesary that an Exact account of all the Inhabitants of this Colony Should be taken in order to be transmitted to the Congress of the United American Colonies therefore Gentle men in Obedants to your Directtions to the Selectmen of the Town of Unity we have forthwith proseeded accordingly & taken an Exact account of all the Inhabitants of the Town of Unity & nubred Every Soul in the Same in Separate Columns as follows —

Males under 16 years of age	39
Males from 16 to 50 not in the army	35
All males above 50 years of age	3
Persons gone in the army	7
All Females	62
Negroes and slaves for life	00
	146

Also we have viewed the Inhabitants of Unity & we find amongst all the Inhabitants but thirteen fire armes fit for use & we find the number wanting to Compleat one for Eveary person Capable of Using them that there is twenty five to Subply the Inhabitants of this town that Eveary one may have a Good fire arme & we find the Inhabitants holy Distatut in Evary part of ammunition the account taken and Numbred by —

CHARLES HUNTOON } Select men
SIMEON GLIDEN } of Unity.

Unity September 11th 1775.

WALPOLE.

The Number of all Males under Sixteen years of Age	214
All Males from Sixteen years of age to fifty	100
All Males above fifty	26
All Males Gone into the army	33
All females	283
All Negro Slaves	2
Total	658

CHRISTOPHER WEBBER } Selectmen
EBEN'R SWAN }

Cheshire ss October 14, 1775. Then the within Named Christopher Webber and Ebenezer Swan Personally appearing before me the Subscriber and made Solemn Oath that he belongeth to the Town of Walpole.

Benj[a] Bellows Jun[r] Justice Peace.

WARNER.

Males under 16 years of Age	78
Males from 16 years of age to 50, not in the Army	45
All males above 50 years of age	6
Persons gone in the army	6
All Females	126
Negroes & Slaves for Life	1
	262

Guns In Town fit for use 21. Guns wanting in Town 26. Powder In Town none.

Warner Sept[r] y[e] 9th 1775.

Then the above named Dan[ll] Annis one of the Selectmen for the Town of Warner after being Duly cautioned made Solom oath To the Truth of the above account Before me Dan[l] Flanders, Town Clerk.

WEARE.

Males under 16 years of Age	248
Males from 16 years of Age to 50 not in the Army	117
All males above 50 years of Age	18
Persons gone in the Army	32
All Females	421
Negroes and Slaves for Life	1
	837

The number of people called Quakers 150 [viz.]

Mailes under 16 years of age	42
Males from 16 years of age to 50	39
All Males above 50	2
All Females	67
	150
Fire arms	16

The Number of fire arms 72 a account of the powder in town 10 pound.

JOHN ROBIE } Selectmen
JERE^{h} CORLIS } for Weare

Weare September 9th 1775
A true account by us

— —

WESTMORELAND.

Males under 16 years of Age	213
Males from 16 years of Age to 50 not in the Army	127
All males above 50 years of Age	23
Persons gone in the Army	38
All Females	357
Negroes and Slaves for Life	0
	758

Agreable to the Vote past in the Provential Congress on Wednesday the 5th Day of July last past have Taken an account of all the Fire armes fitt for use in this Town and find them to amount to Sixty three and that there is Sixty seven wanting to supply the Town

HEBER MILLER
ARCHELAUS TEMPLE } Select men
WAITSTILL SCOTT

Agreable to the Request of the Provincial Congress to us Sent: We have taken an account of all the Soles within this Town and Plac'd as Directed in the Columns above.

HEBER MILLER } Selectmen
ARCHELAUS TEMPLE

Westmoreland October 26 1775.

— —

WILTON.

In Obedience to the Provincial Congress in New Hampshire — we the Subscribers have Numbered the Souls of the Inhabitants of the Town of Wilton which is as Follows —

Males under 16 years of Age	162
Males from 16 years of Age to 50 not in the Army	102
All males above 50 years of Age	17
Persons gone in the Army	26
All Females	314
Negroes & Slaves for Life	2

And Further we have Complied with the Congresses Requisition Concerning Numbering the Fire arms fit for use, and those wanting, and we find Seventy two fit for Service, & Forty Seven guns wanting — and find Forty Pounds of Powder in s[d] Town.

ABIEL ABBOTT } Selectmen
PHILIP PUTNAM } of Wilton.

Wilton Octo[r] 24[th] 1775.

Wilton Octo[r] ye 24 1775 Then the above Named Parsons (Select Men of the Town of Wilton) Made Oath to their Fidelity and Impartiallity in Takeing the Above account agreeable to the Direction of the Honnourable Provenecial Congress the oath admistred by me.

Jacob Abbot Town Clerk

WINCHESTER.

According to the Direction of the Congress we have Numbred the Inhabitants of the Town of Winchester together with number of guns and pound of powder and they are as follows

Mails under 16 years of age	207
Males From 16 to 50 years of age	112
All Mails above 50 years of Age	30
Persons gon in the armey	18
All Femails	354
Negroes and slaves for life	2
	723
Guns fit for use	68
pounds of powder in the town	18

The above account taken By us

REUBEN ALEXANDER } Select
JOSEPH STOWEL } men
NEHEMIAH HOUGHTON }

Winchester, October 5[th] 1775.

WINDHAM.

Colony of New hampshire Windham Sep[r] 15[th] 1775

Pursuant to an order of the Provincial Congress of this Colony (met at Exeter August 25[th] 1775) Requiring the Sellect-men of Each Town in this Colony to take an Exact account of all the Inhabitants with the number of Guns and Quantity of Powder in the same

In Consequence of said Requisition we the subscribers Sellectmen for said Windham have taken an Exact account of all the Inhabitants Number of Gun and Quantity of Powder in the same which is as follows

Males under 16 years	120
Males from 16 years to 50 not in the army	86
Males above 50 years	33
Persons gone in the army	15
All Females	262
Negroes & Slaves for life	13
	529
Guns	69
Powder pounds	16 1-2
The Number of guns wanted to Compleat one for each man fit to use it	17

JAMES BETTON } Select-
JOHN MORRISON } men

Rockingham ss Windham Sep^{t} 15th 1775 Then the above named John Morison appeared and after Due Caution made Solemn Oath that the above is a true and Exact account of the Inhabitants of said Windham Together with the number of the Guns and Quantity of Powder in the same

Sworn before me James Betton Just P

WOLFEBOROUGH.

A List of the Inhabitants (including every soul) of the Town of Wolfeborough taken by us the subscribers Selectmen thereof pursuant to a Recommendation of the Provencial Congress — together with the Number of Fire Arms therein & the number wanting to compleat one for all Capable of using them, and the Quantity of powder therein both public & private

Males under 16 years of age	57
Males from 16 years of age to 50 not in the army	53
All males above 50 years of age	4
Persons gone in the army	4
All Females	91
Negroes and Slaves for Life	2
	211

HENRY RUST } Selectmen.
MOSES HAM }

Fire arms fit for Use	34
Fire arms wanting	22
Town Stock of Powder	25
Private Stock of Powder	5

Inhabitants &c of the Gore (so called) upon Conway Road — taken by Robert Calder one of the Selectmen of Wolfeborough

Males under 16 years of age	4
Males from 16 years of age to 50 not in the army	6
Males above 50 years of age	3
Persons gone in the army	0
All Females	13
Negroes and Slaves for Life	0
	26
Fire arms fit for Use	4
Fire arms wanting	2
Private Powder	1 1-4 lb

POPULATION

Of the several Towns in New Hampshire, according to the foregoing enumeration, 1775.

Alexandria	137	Hawke (now Danville)	504
Allenstown	149	Hinsdale	—
Alstead	317	Holderness	172
Alton	100	Hollis	1255
Amherst (1)	1428	Hopkinton	1085
Andover	179	Jaffrey	351
Atkinson	575	Keene	758
Barnstead	252	Kensington	797
Barrington	1655	Kingston	961
Bath	144	Lancaster	61
Bedford	495	Landaff	40
Boscawen	585	Lebanon	347
Bow	350	Lee	954
Brentwood	1100	Lempster	128
Campton	190	Lisbon	47
Canaan	67	Litchfield	284
Candia	744	Londonderry	2590
Canterbury	725	Loudon	349
Charlestown	594	Lyme	252
Chester	1599	Lyndeborough	713
Chesterfield	874	Madbury	677
Chichester	418	Manchester (Derryfield)	285
Claremont	523	Marlborough	322
Colebrook (Coleburne)	4	Marlow	207
Columbia (Cockburne)	14	Mason (No. 1)	501
Concord	1052	Meredith	259
Conway	273	Merrimack	606
Cornish	309	Middleton	238
Croyden	143	Mile Slip	
Dalton (Apthorp)	50	Monson	
Deerfield	929	Moultonborough	272
Dover	1666	Nelson (Packersfield)	186
Dublin	305	New Boston	569
Dunbarton	497	New Castle	449
Durham	1214	New Chester	196
Dunstable (Nashua)	705	New Durham	286
East Kingston	428	Newington	332
Effingham	83	New Ipswich	960
Enfield (Relham)	50	New Market	1289
Epping	1569	Newport	157
Epsom (2)	387	Newtown	540
Exeter	1741	Northumberland	57
Fisherfield (now Newbury)	130	North-Hampton	652
Fitzwilliam (no return)	—	Northwood	313
Francestown	200	Nottingham	999
Franconia	29	Nottingham West (now Hudson)	649
Gilmantown	774	Orford	222
Gilsum	178	Ossipee	26
Goffstown	831	Pelham	749
Gosport	44	Pembroke	744
Grantham	74	Peterborough	546
Greenland	759	Piermont	168
Groton (Cockermouth)	118	Plainfield	308
Hampstead	768	Plaistow	575
Hampton	862	Plymouth	382
Hampton-Falls	645	Poplin	552
Hanover	434	Portsmouth	4590
Haverhill	365	Raymond	683
Henniker (with Hillsboro', Antrim and Hancock)	347	Richmond	864
Hillsborough	—	Rindge	542
		Rochester	1548

(1) No return, the number, by estimation, is 1428.

(2) No return — estimated, 387.

Rumney	237	Tamworth	151
Rye	870	Temple	491
Salem	1084	Thornton	117
Salisbury	498	Unity	146
Sanbornton	459	Wakefield	320
Sandown	635	Walpole	658
Sandwich	245	Warner	262
Seabrook	607	Washington	163
Society Land	177	Weare	837
Somersworth	965	Wendall	65
South Hampton	498	Westmoreland	758
Stoddard	224	Wilton	632
Stratford	41	Winchester	723
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NOTE BY THE EDITOR.

The Index which follows is designed to contain the name of every person and place mentioned in this volume The officers of government, as Governor, Lieut. Governor, and Councilors, are put in SMALL CAPITALS, but not otherwise referred to, except as performing some special or assigned service. The word *passim* indicates that a name is found very often in the volume, and need not, in every instance, be noted. Thus the names of some of the Councilors and Representatives are repeated on almost every page. The Editor has aimed to be accurate but still fears that errors may be discovered.

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(1) By error in note, "Winslow."

(2) Sister of Mark H. Wentworth. See notice of, p. 105.

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